

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39226 of 2020

Arising Out of PS. Case No.-150 Year-2019 Thana- IMAMGANJ District- Gaya

SHIVENDRA KUMAR, Son of Rajesh Paswan Resident of Village-Karmaun,
P.S.-Imamganj, District-Gaya (Bihar).

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 17-02-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 23.12.2020, within four weeks of starting of Court proceeding in physical mode.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

The petitioner seeks bail in connection with N.D.P.S. Case No. 62 of 2019, arising out of Imamganj P.S. Case No. 150 of 2019, registered under Sections 8/20(B)11, 25 and 29 of the N.D.P.S. Act, pending in the Court of learned Sessions Judge-cum-Special Judge, N.D.P.S., Gaya.

The accusation is of recovery of 818.1 Kg. Doda (Poppy straw) from the truck, which was being driven by the petitioner.



Learned counsel appearing on behalf of the petitioner submits that, earlier, the prayer for bail of the petitioner was refused on merit on 04.03.2020 vide Criminal Miscellaneous No. 71719 of 2019. The petitioner is in custody since 27.08.2019. The petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case and nature of allegation and keeping in view the fact that the prayer for bail of the petitioner was refused on merit taking into consideration the recovery of 818.1Kg. Doda (Poppy straw) from the truck, which was being driven by the petitioner, as such, I am not inclined to enlarge the petitioner on bail at present. Accordingly, the prayer of the petitioner, above named, is rejected.

(Rajendra Kumar Mishra, J)

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