

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7850 of 2021

Arising Out of PS. Case No.-219 Year-2020 Thana- KHUSRUPUR District- Patna

=====

DHARMENDRA KUMAR SON OF SHRI RAMSHALOK ROY R/O
VILLAGE- BAIKUNTHPUR KRISHNATOLA, P.S.- KHUSRUPUR,
DISTRICT- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satish Kumar Sinha

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-04-2021 Heard Mr. Satish Kumar Sinha, learned counsel for

the petitioner and Mr. Tarkeshwar Nath Thakur, learned counsel

for the State through video conferencing.

Petitioner seeks regular bail in connection with
Special Case No. 95 of 2020 arising out of Khushrupur P.S.
Case No. 219 of 2020 registered for the offence under Section
20 (b) (ii) (c) / 22 (c) of the N.D.P.S. Act.

The allegation as per the First Information Report is
that Police got secret information that one Arbind Ray, S/o
Daroga Ray along with the petitioner are indulged in the
business of *Ganja*, proceeded towards the place of occurrence
and recovered 21.900 Kg of *Ganja* kept in two plastic bags
from the house of the co-accused / Arbind Ray, however, two
persons present there tried to flee away but were arrested and
they disclosed their name as Dharmendra Kumar (i.e. petitioner)
and co-accused / Arbind Ray.

Learned counsel for the petitioner submits that



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case only because he was present near the place of occurrence and *Ganja* has been recovered from the house of the co-accused / Arbind Ray and not from the conscious possession or premises belonging to the petitioner. Learned counsel next submits that petitioner has got no criminal antecedent and he is in custody since 03.07.2020.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that petitioner has been arrested from the spot i.e the house of co-accused / Arbind Ray from where 21.900 Kg of *Ganja* has been recovered, petitioner is allegedly involved in the trade of *Ganja* and *Ganja* recovered is of commercial quantity, I am not inclined to grant regular bail to the petitioner at this stage.

Accordingly, the same stands rejected.

(Anil Kumar Sinha, J)

praful/-

U			
---	--	--	--

