

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5541 of 2022

Arising Out of PS. Case No.-297 Year-2021 Thana- PUPRI District- Sitamarhi

Raju Kushwaha Son Of Asharfi Mahto R/O Village- Kohvarva, P.S.-
Sonbarsa, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Narayan Mahto

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-04-2022 Heard both parties.

The petitioner seeks bail in Pupari P.S. Case No. 297 of 2021, registered for the offence punishable under Section 414 of the Indian Penal Code and sections 8/20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act.

As per the prosecution case, 40 KG of Ganja has been recovered from a tractor and two persons were apprehended on the spot who disclosed the name of this petitioner as one of their associates in illicit business of narcotic substances.

It is submitted on behalf of the petitioner that nothing has been recovered from conscious possession of this petitioner. Petitioner has been made accused in this case on the basis of confessional statement of co-accused Jay Kishun Sah. Mandatory provision of search and seizure has not been



followed and petitioner is in custody since 10.09.2021.

Learned APP however, vehemently opposed the prayer for bail and submitted that more than commercial quantity of Ganja has been recovered and petitioner has got criminal antecedent and he is accused in eight cases.

Considering the facts aforesaid and the quantity of recovery, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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