

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14878 of 2022

Arising Out of PS. Case No.-180 Year-2021 Thana- GAUNAHA District- West Champaran

BINOD PASWAN @ VINOD PASWAN S/o Saheb Paswan R/o Village -
Murli Padariya, P.S. - Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-05-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence punishable under Sections 20(b)(ii)(B) / 29 of the N.D.P.S. Act.

8 Kg. of *Ganja* has been recovered from a tempo, of which, this petitioner was co-passenger.

Learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that less than commercial quantity of *Ganja* has been recovered and as such, rigors of Section 37 of the N.D.P.S. Act would not be attracted against the petitioner. Petitioner claims clean antecedent and he is in custody since 3.9.2021.

Learned A.P.P. for the State opposes the prayer for



bail and submits that in this case, there is recovery of more than small quantity of *Ganja*.

Considering the rival submissions of the parties, materials available on the record and the quantity of recovery of narcotic substance, prayer for bail of the petitioner is refused.

However, learned trial court in directed to release of the petitioner on bail to its own satisfaction *after framing of the charge*.

(Prabhat Kumar Singh, J)

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