

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17387 of 2022

Arising Out of PS. Case No.-323 Year-2021 Thana- SAHPUR District- Patna

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Pankaj Kumar Son of Ravish Rai Resident of Village - Adampur, P.s.- Dana-
pur, Distt.- Patna

... .. Petitioner/s

Versus

1. The Union of India Govt. of India.
2. The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Harsh Anuj
For the Opposite Party/s	:	Mr. K.N. Singh, ASG

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-05-2022 Heard learned counsel for the parties.

The petitioner seeks bail in Special Case No. 112 of 2021 arising out of Shahpur P.S. Case No. 323 of 2021 registered for the offence under Sections 8, 20 (b) (ii) (B) and 29 of the N.D.P.S. and Sections 25 (1-b) a, 26 and 35 of the Arms Act.

As per the prosecution case, one Pulsar motorcycle, 1 kg 900 gm Ganja, one country made pistol and two live cartridges have been recovered from the possession of the petitioner.

It is submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. It is further submitted that the alleged recovery of Ganja is



below the commercial quantity. Petitioner is in custody since 21.08.2021 and investigation is complete.

Learned APP vehemently opposes the prayer for bail of the petitioner and submitted that the recovered quantity of Ganja is more than small quantity.

Considering the aforesaid facts and circumstances and the quantity of alleged recovery of Ganja, this Court is not inclined to grant bail to the petitioner.

Hence, the prayer for bail of the petitioner is rejected.

However, once charge is framed and trial commences, the petitioner shall be released on bail by the learned Trial Court on the condition that he will cooperate in disposal of trial and appear before the Trial Court, as and when required.

(Prabhat Kumar Singh, J)

Ankit/-

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