

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39674 of 2021

Arising Out of PS. Case No.-375 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

=====

HEMANT KUMAR YADAV Son of Vijay Singh Yadav Resident of Village-
Chakaura, P.S.- Nawanagar, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha
For the Opposite Party/s : Mr.A.G

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-03-2022 Heard learned counsel for the petitioner and the

State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 20b of the Narcotic Drugs and Psychotropic Substances Act, 1985 and under section 56b of the Bihar Prohibition and Excise Act .

As per the prosecution case, 100 kilograms Ganja has been recovered from the vehicle of which petitioner was one of the occupants with other accused persons.

Learned counsel appearing for the petitioner submits that no incriminating material has been recovered from the conscious possession of the petitioner. Mandatory provision regarding search and seizure has not been followed. Petitioner



is neither the owner nor the driver of the vehicle in question. There is no FSL report with respect to the seized contraband material. Petitioner claims clean antecedent. He is in custody since 28.6.2019.

Learned counsel appearing for the State opposes the prayer for bail and submits that huge quantity of Ganja has been recovered from the vehicle of which petitioner was one of the occupants.

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.

(Prabhat Kumar Singh, J)

shashi/-

U		T	
---	--	---	--

