

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55739 of 2021

Arising Out of PS. Case No.-142 Year-2020 Thana- ATHMALGOLA District- Patna

MANJAY RAI Son of Kapil Dev Rai Resident of Village - Naya Tola
Sabnima, P.S.- Athmalgola, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N.Shahi, Sr. Adv. Mr. Ashok Kumar Mishra, Adv.
For the Opposite Party/s	:	Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 18-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 22C and 27A of the N.D.P.S. Act.

As per the prosecution case, on search being conducted, 30.460 kgs of ganja was recovered from the house of the petitioner and on their disclosure, 133.510 kgs of ganja was recovered from the vehicle.

It is submitted by learned senior counsel appearing for the petitioner that no incriminating article has been recovered from the petitioner's possession. He has been falsely implicated in the case. Accepting the allegations in the F.I.R. for the sake of argument, the house from which recovery was allegedly made



belongs to the joint family. The petitioner is in custody since 16.6.2020 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State who submits that 30.46 kgs of ganja, which is commercial quantity, was recovered from the house of the petitioner.

Having heard learned counsel for the parties and taking into consideration the facts of the case and the quantity of the recovery, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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