

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52085 of 2021

Arising Out of PS. Case No.-2 Year-2021 Thana- CHARPOKHARI District- Bhojpur

MD.NOOR ALAM SON OF ANNUL MIAN RESIDENT OF VILLAGE-
BABANDI, POLICE STATION- SISWAN CHAINPUR (O.P.), DISTRICT-
SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-03-2022

Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence punishable under Sections 8, 20(b)(ii)(c), 27 of the N.D.P.S. Act.

As per the prosecution case, 937 kg. of *Ganja* has been recovered from the house of co-accused Amarendra Kumar Singh and this petitioner was apprehended on spot.

Learned counsel appearing for the petitioner submits that no contraband article has been recovered from the possession of petitioner, rather the alleged *Ganja* was recovered from the house of co-accused. Mandatory provision with regard to search and seizure has not been followed. Petitioner is in custody since 02.01.2021. Investigation is complete.



However, learned A.P.P. for the State opposed the bail petition and submitted that huge quantity of *Ganja* has been recovered and petitioner was arrested on spot.

Considering the rival submissions of the parties, materials available on the record and the quantity of alleged recovered Ganja, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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