

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62440 of 2021**

Arising Out of PS. Case No.-119 Year-2021 Thana- MAHINDWARA District- Sitamarhi

MANOJ RAI @ MANOJ RAY S/o- Late Mani Rai Resident of Village- Hari
Nagar, Ward No. 7, P.S.- Mahindwara, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through S.P. Sitamarhi. Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Rita Verma

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 24-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in a case registered for the
offences under Section 8/17(C) /18(C) N.D.P.S. Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 07.08.2021, charge-sheet has been
submitted and allegation is 2.7 kg of Afim kept in five brown
colour polythene beneath the seat of the motorcycle and the
petitioner was apprehend who was sitting as pillion rider while
the accused who was driving the motorcycle managed to flee
away after seeing the police.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in this case and neither the



motorcycle nor the Afim belong to him. It is further submitted that from perusal of allegation, it would manifest that the petitioner was the pillion rider and the owner of the motorcycle fled away after after seeing the police.

The learned APP vehemently opposes the bail application and submits that the alleged recovery of Afim is of commercial quantity and the petitioner was arrested at the spot along with motorcycle and the narcotics.

Considering the submission made by learned APP for the State, the Court, for the present, is not inclined to grant bail to the petitioner. Therefore, the prayer for bail of this petitioner is rejected.

(Satyavrat Verma, J)

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