

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65463 of 2021

Arising Out of PS. Case No.-418 Year-2021 Thana- NAGAR District- Vaishali

Sanjit Kumar S/o Radhey Ray R/o village- Dighi Kala East, P.S.- Hajipur
Sadar, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2022 Heard both parties.

The petitioner seeks bail in Hajipur Town P.S. Case No. 418 of 2021, registered for the offence punishable under Sections 8(i), 20(b)(ii)(B), 23B and 29 of the NDPS Act.

As per the prosecution case, petitioner was found in possession of 2.300 KG of Ganja.

It is submitted on behalf of the petitioner that nothing has been recovered from conscious possession of this petitioner. The recovered Ganja is less than commercial quantity, as such rigorous of Section 37 of the NDPS Act, would not be attracted. Mandatory provision of search and seizure has not been followed and petitioner is in custody since 24.05.2021.

Learned APP however, vehemently opposed the prayer for bail.



Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

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

(Prabhat Kumar Singh, J)

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