

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66395 of 2021**

Arising Out of PS. Case No.-120 Year-2021 Thana- KURSAILA District- Katihar

Manoj Kumar Yadav @ Manoj Yadav Son of Bilash Yadav Resident of Village- Simra (But in F.I.R. it has Wrongly been written as Simraha), P.S.- Tikapatti, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 25-02-2022 Heard both parties through video conferencing.

The petitioner seeks bail in Kursela P.S. Case No. 120 of 2021, registered for the offence punishable under Sections 20/22 of the NDPS Act.

As per the prosecution case, on secret information a raid was conducted in the house of co-accused Vikash Kumar Mandal and after seeing the police party several persons started fleeing away. Seven persons including this petitioner were apprehended by the police. 298 KG of Ganja has been recovered from house of co-accused Vikash Kumar Mandal.

It is submitted on behalf of the petitioner that nothing has been recovered from conscious possession of this petitioner. No case under Section 20/22 of the NDPS is made out against



this petitioner, as there is no recovery from this petitioner. Petitioner claims clean antecedent he is in custody since 05.08.2021.

Learned APP however, vehemently opposed the prayer for bail and submitted that huge quantity of narcotic substance has been recovered and petitioner was apprehended on the spot.

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.

(Prabhat Kumar Singh, J)

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