

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67485 of 2021

Arising Out of PS. Case No.-270 Year-2021 Thana- BAJPATI District- Sitamarhi

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RANJEET RAI @ RANJIT RAY S/o Amindar Rai R/o Village- Basotara @
Basotra, P.S.- Choraut, Dist- Sitmarhi.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-05-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks anticipatory bail in a case registered
for the offence punishable under Section 8(C), 20(b), (ii)C,
23©, 27(A), 29 of the N.D.P.S. Act.

As per the prosecution case, 60.200 Kg. of Ganja has
been recovered from a tempo and this petitioner is alleged to
have fled away after seeing the police.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. No incriminating article has been recovered from the
conscious possession of the petitioner and he is no way
concerned with the alleged recovery. It is submitted that
mandatory provision with regard to search and seizure has not



been followed and since the recovered quantity of narcotic substance is less than commercial quantity, rigours of Section 37 of the NDPS Act could not be attracted against this petitioner.

Learned counsel appearing for the State opposes the prayer for bail and submits that more than small quantity of Ganja has been recovered from a tempo and this petitioner is alleged to have fled away after seeing the police.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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