

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70508 of 2021

Arising Out of PS. Case No.-413 Year-2021 Thana- BIDUPUR District- Vaishali

MUKESH KUMAR SON OF RAJENDRA RAY @ RAJENDRA SINGH
RESIDENT OF VILLAGE- DAUDNAGAR, P.S- BIDUPUR, DIST-
VAISHALI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-06-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Bidupur P.S. Case No. 413 of 2021, registered for the offence punishable under Sections 20(b)(ii)(c), 23(c) and 27(a) of the Narcotic Drugs and Psychotropic Substance Act.

The informant along with other police personnel are stated to have conducted a raid in the premises belonging to the petitioner whereupon 12.110 kg. ganja was recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has



been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 27.8.2021. The learned counsel for the petitioner has further submitted that in any view of the matter, the quantity of ganja seized is much less than the commercial quantity of ganja defined in the schedule notified under the provisions of the NDPS Act, 1985, hence, there is no impediment in granting bail to the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the quantity of ganja recovered from the possession of the petitioner is much less than the commercial quantity mentioned in the schedule notified under the provisions of the NDPS Act, 1985, apart from the fact that the



petitioner is languishing in custody since 27.8.2021 and he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 413 of 2021.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

