

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71238 of 2021**

Arising Out of PS. Case No.-395 Year-2021 Thana- GHORASAHAN District- East
Champaran

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Lallan Sah S/O Late Ram Bahadur Sah R/o village- Sripur Khas, P.S.-
Ghorasahan, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Ranjana Srivastava
For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-03-2022 Heard both parties.

The petitioner seeks bail in Ghorasahan (Jharokhar)
P.S. Case No. 395 of 2021, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act and
section 8/20(b)(ii)(c) of the Narcotic Drugs and Psychotropic
Substances Act.

As per the prosecution case, all the accused persons
were carrying Nepali Ganja and Nepali wine in bags on their
head and petitioner and two co-accused were apprehended by
the police whereas, six others succeeded in fleeing away after
throwing their bags. 100.2 KG of Nepali Ganja and 180.9 litres
of Nepali Kasturi wine have been recovered from the bags.

It is submitted on behalf of the petitioner that nothing



has been recovered from conscious possession of this petitioner. Petitioner was only a passerby and on suspicion he has been apprehended by the police. Petitioner is in custody since 15.09.2021.

Learned APP however, vehemently opposed the prayer for bail and submitted that the recovered Ganja is more than commercial quantity and petitioner is having criminal antecedent of similar nature.

Considering the quantity of recovery and criminal antecedent of the petitioner, 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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