

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.141 of 2022

Arising Out of PS. Case No.-297 Year-2021 Thana- PUPRI District- Sitamarhi

JAY KISHUN SAH S/o Ramdeo Sah Resident of Village- Manik Chowk,
P.S.- Runnisaidpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha
For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 10-05-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Sections 8/20(b)(ii)(c) of the N.D.P.S. Act as well as Section 414 of the I.P.C.

As per prosecution case, 40 kg. of *Ganja* has been recovered from a tractor and this petitioner was found sitting on tractor with one motorcycle.

It is submitted on behalf of petitioner that no narcotic substance has been recovered from the possession of the petitioner. Petitioner is neither owner nor driver of the said tractor, rather he was simply a co-passenger and he is in custody since 27.08.2021.

However, learned A.P.P. for the State has opposed the bail petition and submitted that in this case, more than



commercial quantity of *Ganja* has been recovered from a tractor, on which, this petitioner was found sitting. Petitioner has got one criminal antecedent also of similar nature.

Considering the quantity of alleged *Ganja* and restriction imposed under Section 37 of the N.D.P.S. Act, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected. However, learned trial court is directed to expedite the trial.

(Prabhat Kumar Singh, J)

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