

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.775 of 2022

Arising Out of PS. Case No.-156 Year-2021 Thana- SURSAND District- Sitamarhi

CHANDAN KUMAR PASWAN, Son of Ganaur Paswan, Resident of
Wajitpur tola Gokhulapur, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-03-2022 Heard the parties.

The petitioner seeks bail in connection with Sursand
(Bhitha O.P.) P.S. Case No. 156 of 2021, registered for the
offence under Section 8/20(b)(ii)(C)/22(B) of N.D.P.S. Act.

As per prosecution case, 13 kg of *Ganja* was
recovered from the possession of the petitioner.

It is submitted on behalf of the petitioner that no
narcotic substance has been recovered from the conscious
possession of the petitioner. The alleged recovery of *Ganja* is
less than commercial quantity. It is also submitted that
mandatory provision with regard to search and seizure has not
been followed. Petitioner claims clean antecedent and he is in
custody since 06.04.2021.

Learned APP for the State has opposed the bail



petition and submits that more than small quantity of *Ganja* has been recovered from possession of the petitioner.

Considering the quantity of recovering of *Ganja*, the bail petition of the petitioner is rejected.

However, once charge is framed and trial commences, the petitioner Shall be released on bail by the learned trial Court on the condition that he will cooperate in disposal of trial and appear before the trial Court, as and when required.

(Prabhat Kumar Singh, J)

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