

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39817 of 2022

Arising Out of PS. Case No.-400 Year-2022 Thana- BARACHATTI District- Gaya

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Rajesh Kumar @ Rajesh Kumar Singh S/o Dewaki Singh R/o village-
Sisiyatari, P.S.- Barachatti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Mr. Bikramdeo Singh,

For the Opposite Party/s : Mr. Upendra Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

3 02-02-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with
Barchatti P.S. Case No.400 of 2022, registered for the
offences punishable under Sections 18, 20, 22 of the
N.D.P.S. Act.

As per allegation, 259 Kg of Doda (Poppy Straw)
has been recovered from the house of the petitioner.

Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He also submits that search and seizure has not been made as per the rules as provided under the N.D.P.S. Act.

He further submits that the petitioner has been languishing in jail since 21.05.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the quantity of the recovered contraband, which is much more than the commercial quantity and the material on record, I am not persuaded to enlarge the petitioner on bail.

The petition is dismissed accordingly.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the



certified copy of this order only after removal of office
objections.

(Jitendra Kumar, J)

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