

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23639 of 2024

Arising Out of PS. Case No.-89 Year-2023 Thana- BHANGHA District- West Champaran

Sanoj Yadav S/o Late Shankar Yadav R/o Village- Bardaha, P.S.- Sikta,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bhangaha P.S. Case No. 89 of 2023 registered on 15.12.2023
lodged under Sections 17b, 21b, 22b, 23b of the N.D.P.S. Act.

3. As per the prosecution case, F.I.R. has been lodged
against the petitioner to whom there is an allegation of recovery
of 95 gm of *Morphine* from the possession of the petitioner.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner
is in custody since 16.12.2023 having four criminal case
pending against him in which in one case, he is acquitted and is
on bail on three cases. He further submits that there is gross
violation of the Section 100 of the Cr.P.C. during the seizure of



the alleged contravened.

5. Learned counsel for the State opposes the prayer for bail and submits that the recovery of *Morphin* is more than the smaller quantity but less than the commercial quantity and he has four antecedents in which one case is related to NDPS.

6. In the present facts and circumstances of this case and keeping in the view that antecedents of the petitioner is not clean, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the bail application of the petitioner stands rejected.

(Dr. Anshuman, J)

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