

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28054 of 2024

Arising Out of PS. Case No.-366 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Pintu Singh Son Of Late Shiv Singh Resident Of Bailia Road, Jagdeo Nagar,
P.S. - Sasaram Town, District - Rohtas, Pin Code - 821115

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sadashiv Tiwari
For the Opposite Party/s : Mr. Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has earlier moved for grant of anticipatory bail bearing Cr. Misc. No. 77268 of 2023 which was dismissed as withdrawn. Now the petitioner has prayed for regular bail in a case registered for the offence punishable under sections 20(b), 22(c) and 29 of the NDPS Act.

3. As per allegation in the FIR, on getting secret information police party searched a scorpio, which was parked in the land of Vijay Kumar and he rent the land to the petitioner for parking the vehicle. On search, 160 kilogram Ganja was recovered from the said vehicle. 30 kilogram ganja was recovered from the room of the petitioner and 250 kilogram ganja was also recovered from the roof of his house.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He was not apprehended on spot rather his name was disclosed by the apprehended co-accused person. In fact, petitioner sold the alleged house to another person by way of registered absolute sale deed in the year 2020 and sale deed is annexed as Annexure-3 to the petition. No local person was made as a witness of the seizure list rather seizure list witnesses are police personnel. There is complete violation of provision of Section 100 of the NDPS Act. Petitioner is languishing in judicial custody since 11.12.2023.

5. Learned APP appearing for the State has opposed the prayer of Bail and submitted that the quantity of recovered article is huge and beyond the commercial quantity. FSL report confirms that the alleged recovered item is Ganja.

6. Having heard learned counsel for the parties and considering the fact that there is recovery of huge quantity of Ganja from the house of the petitioner, I am not inclined to grant bail to the petitioner. His prayer for grant of regular bail stands rejected.

(Sunil Kumar Panwar, J)

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