

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37202 of 2024

Arising Out of PS. Case No.-240 Year-2024 Thana- SAUR BAZAR District- Saharsa

Bhutel Sah Son of Late Lakhan Sah Resident of Village - Madhura, Ward
No.- 07, P.S.- Sour Bazar, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Surendra Kumar

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 21-05-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Sour Bazar P.S. Case No.240 of 2024 registered for the offence
under Sections 8/20(b)(ii)(a) of the NDPS Act.

3. As per FIR, there is recovery of total 1100
grams Granja from the possession of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that recovery of
Ganja is made from joint house of the petitioner not from the
conscious physical possession of this petitioner, which less than
commercial quantity. It is further submitted that petitioner is a



man of clean antecedent and he is in custody since 25.03.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. In view of the submissions, as made above, as there is recovery of total 1100 gms Ganja from the possession of this petitioner, which is more than small quantity, this Court is not inclined to grant bail to the petitioner, at present.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

8. Learned trial court is directed to conclude the trial within a period of 06 (six) months from the date of receipt of a copy of this order and if the trial could not be concluded within specified period, the petitioner would be at liberty to renew the prayer for bail of the petitioner before the learned trial court and the learned trial court shall grant the bail to the petitioner in accordance with law.

(Ramesh Chand Malviya, J)

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