

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52368 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- BABUBARHI District- Madhubani

MUKESH MUKHIYA S/O PRAMOD MUKHIYA R/O VILLAGE- JHARA,
P.S- MAHISHI, DISTT.- SAHARSA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Mr. Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 01-08-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Babubarhi P.S. Case No. 07 of 2024 for the offences punishable under Sections 8, 20(B) II B, 20(B) II (C), 22 of the NDPS Act.

3. As per allegation, on a secret information, the informant along with police personnel reached the place of occurrence. The accused persons tried to flee away after seeing the police party. On search. 15.450 kg Ganja was recovered from the Motorcycle of co-accused Shiv Kumar and 10.250 kg ganja was recovered from the Motorcycle of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. He has further submitted the alleged contraband recovered is small than the commercial quantity. The petitioner is a person of clean antecedent and is under custody since 09.01.2024.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that the huge quantity of contraband ganja was recovered from the possession of the petitioner. He has further submitted that the quantity of ganja seized is far more than the smaller quantity, and near to the commercial quantity.

6. Considering the above-mentioned facts and circumstances as well as the gravity of the allegation, I do not think it to be a fit case for bail, which is hereby rejected.

(Nawneet Kumar Pandey, J)

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