

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67928 of 2024

Arising Out of PS. Case No.-551 Year-2024 Thana- Excise P.S. District- Aurangabad

Shankar Ram Yadav son of Sildhar Yadav resident of Vill.- Mudapada, P.S.-
Pathalgaon, Distt.- Jashpura, Chattisgarh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nikita Mittal, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-10-2024 Heard Learned Counsel for the petitioner and Learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Madhya Nishedh Excise Case No. 551 of 2024, lodged on
06.06.2024, under Sections 20B/22 of the Narcotics Drugs and
Psychotropic Substances Act, 1985.

3. As per the prosecution, FIR has been lodged against
the present petitioner with allegation that he was carrying six
bundles of Ganja weighting 6 Kgs below his seat in a bus.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that antecedent of the petitioner is clean. He is in custody since
07.06.2024. Counsel submits that Ganja has not been recovered
from his possession; rather it has been recovered below the seat.



He further submits that the said quantity of Ganja is not commercial quantity rather it is more than small quantity.

5. Learned counsel for the State opposes the prayer for bail and submits that from the content of the FIR it becomes crystal clear that the said Ganja has been recovered just below his seat and his gesture and posture as indicated in the FIR indicates that he was in possession of Ganja. Counsel further submits that it is the N.D.P.S. material though it is less than commercial quantity but higher than the small quantity.

6. In this background, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is hereby rejected. However, liberty is granted to the petitioner that he may renew his prayer for bail three months after framing of the charge.

(Dr. Anshuman, J)

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