

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65565 of 2024

Arising Out of PS. Case No.-37 Year-2020 Thana- MASAUDHI District- Patna

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Lalit Yadav @ Lalit Kumar @ Ravindra Kumar Son of Late Ram Deep Prasad @ Late Ramdeep Prasad Yadav Resident of Village- Rewan, P.S.- Masaurhi, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lallu Prasad

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-09-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of regular bail, arises out of Masaurhi Police Station Case No. 37 of 2020, disclosing offences under Sections 20, 22 of the NDPS Act.
3. This is the second attempt for grant of bail on behalf of the petitioner inasmuch as earlier the bail application of the petitioner was rejected by order dated 17.10.2023 passed in Cr. Misc. No. 61971 of 2022.
4. As per the First Information Report, 106 kilograms of *ganja* was recovered from the joint house of the petitioner and co-accused Ranjit Kumar.
5. Learned counsel for the petitioner submits that the



house from where contraband article has been recovered was joint property but there was a partition between the brothers and *ganja* has been recovered from the portion of co-accused Ranjit Kumar. This Court has rejected, the bail application of Ranjit Kumar in Cr. Misc. No. 37458 of 2022 *vide* order dated 10.08.2022 on the ground that huge commercial quantity of *ganja* has been recovered and the trial has already commenced. Learned counsel submits that after commencement of the trial, two witnesses have been examined.

6. Having regard to the fact that huge commercial quantity of *ganja* has been recovered from the house owned by the petitioner and the bail application of the co-accused has already been rejected, the trial has begun and two witnesses have been examined by the prosecution, accordingly, I am not inclined to grant regular bail to the petitioner at this stage, however, the petitioner may renew his prayer for bail after nine months if the trial does not progress substantially.

(Anil Kumar Sinha, J)

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