

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69338 of 2023

Arising Out of PS. Case No.-2 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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GORAKH KUMAR BHAGAT SON OF LATE MUNNI BHAGAT @ MUNI
MALI @ MUNI BHAGAT RESIDENT OF VILLAGE - BIRAMPUR, POST
- BIRAMPUR, P.S. - KOILWAR, DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. GOVERNMENT OF INDIA MINISTRY OF HOME AFFAIRS
NARCOTICS CONTROL BUREAU NEW DELHI

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sheo Kumar Prasad
For the Opposite Party/s	:	Mr.Yogendra Kumar Singh
For the U.O.I.	:	Mis Shail Kumari, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 13-03-2024 Learned counsel for the petitioner and counsel for the

State are present.

2. The petitioner seeks regular bail in connection with

Government Official Complaint No. 02/2021 lodged under

Sections 8(C), 20(ii), (ii)(c), 25 and 29 of NDPS Act which has

been rejected vide order dated 27.09.2022 in Cr. Misc. No.

54952 of 2021.

3. Counsel further submits that petitioner is in custody

since 08.02.2021 having clean antecedent. He further submits

that till now five years have been crossed, and therefore,

submits that long time has been lapsed so he may be granted



bail.

4. Counsel for Union Of India, submits that recovery of NDPS material i.e. 300 kg of Ganja has been made which is more than commercial quantity.

5. Learned counsel for the State opposes to prayer for bail.

6. Learned counsel for the U.O.I. submits that according to statute, the punishment for such commercial quantity has been discussed in Section 15 of the NDPS Act and for this, punishment of imprisonment shall not be less than 10 years and maximum is of 10-20 years.

7. As such, this Court is not inclined to grant bail to the petitioner. Accordingly, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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