

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72025 of 2024

Arising Out of PS. Case No.-125 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Dhanji Pandit Son of Chhotan Pandit Resident of village- Kudwa Tola
Masarh, P.S.- Udwant Nagar, (Gajaraganj O.P.), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 21-11-2024

Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in NDPS SL Case No. 11 of 2024, arising out of Udwant Nagar (Gajarajganj O.P.) P.S. Case No. 125 of 2024, instituted for the offences punishable under Sections 20(B)(ii)(c) and 29 of the NDPS Act.

3. The prosecution case, in short, is that, there is recovery of 148 Kg of *ganja* from the Gousala of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has got no concern



with the alleged recovery of *ganja*. It is further submitted that the alleged recovery has been made from an open place which is easily accessible to public at large. The petitioner is in custody since 24.03.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. for the State further submits that recovered contraband is above the commercial quantity and the petitioner being party to the criminal conspiracy as also there being bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

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