

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71376 of 2024

Arising Out of PS. Case No.-776 Year-2021 Thana- KUDHNI District- Muzaffarpur

Pavitar Ray Son of Late Subba Rai Resident of Village - Basauli, P.S. -
Kurhni (Kudhani), District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, 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 Case No. 84 of
2024 arising out of Kurhani (Kudhani) P.S. Case No. 776 of
2021 instituted for the offences under Sections 8, 20(b)(ii)(c) of
the NDPS Act.

3. Prosecution allegation, in short, is that the total 120
Kilograms of *ganja* has been recovered in this case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 16.04.2024 and



has got on criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is 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.

(Rudra Prakash Mishra, J)

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