

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73268 of 2024

Arising Out of PS. Case No.-16 Year-2024 Thana- Excise P.S. District- Sitamarhi

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Laxman Kumar Son of Khusnandan Ray @ Khushi Ray Resident of Village -
Bhasopur Ward No.3, P.S. - Bajpatti, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Pupari P.S. Case No. 16 of 2024 instituted for the offences under
Sections 8(c), 20(b)(ii)(c), 25 of the NDPS Act.

3. Prosecution allegation, in short, is that total 82.815
Kgs 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 14.04.2024 and
has got no 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 and 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)

Alok Verma/-

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