

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81257 of 2023

Arising Out of PS. Case No.-174 Year-2023 Thana- BAKHTIYARPUR District- Patna

Bishun Kumar @ Bishnu Kumar S/O Late Ram Babu Rai R/O Village-
Champapur, P.S- Bakhtiyarpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Bakhtiyarpur P.S. Case No. 174 of 2023 for the offences
registered under Sections 20(b)(ii)(C)/25/29 of the N.D.P.S. Act.

3. As per the prosecution case, there is recovery of
62 kg *Ganja* from a room at the roof of the house of petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Recovery of *Ganja* is made from the joint house of the
petitioner and his brothers. He further submits that petitioner is
in jail custody since 01.05.2023 having no criminal antecedent.
Petitioner undertakes to co-operate in the trial.

5. Learned counsel appearing on behalf of the State



opposes the prayer for grant of bail to the petitioner and submits that recovery of *Ganja* is of commercial quantity and petitioner is not entitled for bail.

6. Learned trial court has submitted report stating therein that case is pending at the stage of prosecution evidence. One year time is expected to conclude the trial of the case.

7. Having heard the learned counsels for the parties and considering the quantity of *Ganja* which comes under the commercial quantity under NDPS Act and the report of the trial court, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of petitioner is rejected in connection with Bakhtiyarpur P.S. Case No. 174 of 2023.

(Sunil Dutta Mishra, J)

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