

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6990 of 2025

Arising Out of PS. Case No.-14 Year-2023 Thana- CHORAUT District- Sitamarhi

Harendra Kumar Son of Devendra Yadav @ Devendra Ray Resident of
Village - Khoriya, P.O. and P.S. - Choraut, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshul, Sr. Adv

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 15-04-2025 Heard learned Senior Counsel for the petitioner and
learned APP for the State.

2. Learned Senior Counsel has stated that a supplementary affidavit has already been filed online and the same shall be filed in the office today.

3. Petitioner seeks regular bail in connection with Choraut P.S. Case No. 14 of 2023, registered for the offences under Sections 8/20(b)(ii)(c) of the N.D.P.S. Act.

4. As per the prosecution story, there is recovery of 48 kg of ganja.

5. Learned Senior Counsel for the petitioner has submitted that the procedures as mentioned in Section 37 of the NDPS Act has not been followed, as to when was sampling done and how it was done is not clear from perusal of the case



diary. Learned Senior Counsel has further submitted that there is no order of the Superior Officer which is the mandate under the NDPS Act. It is lastly submitted that the petitioner carries antecedent of one criminal case and is in custody since 02.04.2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for bail by submitting that the said recovered ganja is more than the commercial quantity and there is embargo under Section 37 of NDPS Act. The learned APP has also pointed out that this petitioner before being arrested in the present case was involved in one another case of similar nature bearing Muzaffarpur D.R.I. Case No. 11 of 2023, NDPS Case No. 96 of 2024, registered on 30.12.2023 under Section 20.025 and 29 of the NDPS Act.

7. Considering the aforesaid facts and circumstances of the case and specially recovery of 48 kg of ganja which is a commercial quantity and also the embargo under Section 37 of the NDPS Act and also taking note of the fact that the petitioner before being arrested in the present case had committed an offence of similar nature and he is accused in another case, this Court is not inclined to grant bail to the petitioner and the same is rejected.



8. Accordingly, the application stands rejected.

(Sourendra Pandey, J)

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