

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1294 of 2025

Arising Out of PS. Case No.-578 Year-2024 Thana- DIGHA District- Patna

Sudhir Kumar S/O Sri Pramod Rai R/V- Nakta- Diara, Ward No. 12, P.S-
Digha, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-04-2025

Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of regular bail in connection with Digha P.S. Case no. 578 of 2024 registered for the offence punishable under sections 8(c) and 20(b) of the NDPS Act.

3. As per the prosecution case, on a search being conducted 3.446 kgs of *ganja* was recovered from the bag on the motorcycle on which the petitioner and coaccused Nitish Kumar were driving.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. The alleged recovery took place when the motorcycle was parked in the open place and the petitioner has no concern with



the seized *ganja* nor with the bag in question. He has no criminal antecedent and is in custody since 28.8.2024.

5. The application for bail is opposed by learned APP for the State who submits that the alleged quantity of *ganja* recovered from the possession of the petitioner is more than small quantity, however, less than commercial quantity.

6. Having heard learned counsel for the parties and taking into consideration the allegation of recovery of 3.446 kgs of *ganja* from a bag and the petitioner having been arrested at the spot, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail on completing 1 year in custody.

(Partha Sarthy, J)

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