

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31643 of 2016

Arising Out of PS.Case No. -9 Year- 2016 Thana -BALTHAR District-
WESTCHAMPARAN(BETTIAH)

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Maldar Ansari S/o Late Salman Mian R/o vill. - Dhobani Lalgari, P.S.
Lalgari, Distt. - Parasa (Nepal)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 28-07-2016

Heard learned counsel for the parties.

The petitioner is languishing in custody since 31.1.2016
in a case registered for the offences punishable under section 20,
22, 23. 24 and 27A of the N.D.P.S.Act.

From the possession of the petitioner 10 packets of
Charas, 500 gram each, total weighing 5 Kg. were recovered.

It is submitted by the learned counsel for the petitioner
that maliciously recovery has been shown from the petitioner and
mandatory provision for search and seizure has not been followed.
Moreover, statement has been made in paragraph 3 of the petition
that the petitioner has no criminal antecedent.

The impugned order reflects that on conclusion of
investigation final report (charge sheet) has been submitted under

sections 20, 22, 23, 24 and 27A of the N.D.P.S.Act.

Considering the commercial quantity of recovery and the F.I.R. registered also under sections 24, 27A of the N.D.P.S.Act, hence in view of embargo under section 37 of the N.D.P.S.Act this Court is not inclined to grant bail to the petitioner.

This application is, accordingly, dismissed.

Let the trial be expedited.

(Dinesh Kumar Singh, J)

Surendra/-

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