

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32964 of 2017

Arising Out of PS. Case No.-80 Year-2017 Thana- THAKRAHA District- West Champaran

Ramesh Ram, Son of Sudama Ram, Resident of Village- Baluadwa, Police
Station- Thakraha, O.P. Bhitaha, District West- Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 12-09-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
23.04.2017 in connection with Thakaraha (Bhitaha) P.S. Case
No. 80 of 2017 pending in the Court of learned Sessions Judge-
cum- Special Judge, West Champaran at Bettiah registered for
the offence punishable under Sections 20 and 22 of the N.D.P.S.
Act.

The prosecution case, as lodged by the police
personnel, is that on information, the petitioner was
apprehended and 4 kilograms of ganja was recovered from his
motorcycle.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in



the aforesaid case. He submits that the ganja seized was less than the commercial quantity and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner is a habitual offender and two cases have been lodged against him, out of which one is of similar nature.

Considering the facts and circumstances and the materials on record, I am not inclined to grant the privilege of bail to the petitioner at this stage. This application is, accordingly, rejected.

(Nilu Agrawal, J.)

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