

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17430 of 2017**

Arising Out of PS.Case No. -155 Year- 2016 Thana -BHAGWANPUR District- BEGUSARAI

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1. Raj Kumar Singh @ Raj Kumar Rajan @ Karki Jha @ Kakri Jha Son of  
Late Harinandan Singh Resident of Village-Mokhtiyarpur, Police Station-  
Bhagwanpur, District-Begusarai

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Kanhaiya Prasad Singh, Sr. Adv.

For the UOI : Mr. Dr. Punam Kumar, C.G.C.

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

4      19-05-2017                      Heard learned senior counsel for the petitioner and  
learned A.P.P. for the State as well as learned C.G.C.

Petitioner is in custody since 18.11.2016 in connection  
with Bhagwanpur P.S. Case No. 155 of 2016 registered under Sections  
20, 22 of the N.D.P.S. Act.

Learned senior counsel for the petitioner has submitted  
that the petitioner, who is of clean antecedent, is innocent and has  
falsely been implicated in this case. Learned senior counsel for the  
petitioner has further submitted that though the petitioner has been  
named in the F.I.R. on the basis of alleged recovery but the seizure  
list does not contain signature of this petitioner nor the signature or  
thumb impression of his family members, which is in violation of  
Section 100 (4) Cr. P.C. Except seizure list without following due



procedure, nothing is against this petitioner. Nothing has been recovered from the conscious possession of this petitioner, which is evident from seizure list. The petitioner is rotting in custody for the last five months.

Learned C.G.C. has vehemently opposed the prayer for bail of this petitioner and submitted that 35 kg Ganja in 4 plastic packets each containing 10 Kg. Ganja in 3 packets and 5 kg have been recovered from the premises of the petitioner, who is said to be engaged in illegal dealing of contraband Ganja. Moreover, the police after completing the investigation submitted charge sheet against the petitioner and found the case to be true.

Considering the facts and circumstances of the case, this Court is not inclined to grant regular bail to the petitioner. Accordingly, the prayer for bail of this petitioner is, hereby, rejected.

**(Arvind Srivastava, J.)**

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