

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25889 of 2017

Arising Out of PS.Case No. -42 Year- 2016 Thana -KORANSARAI District- BUXAR

=====

Chandan Prasad son of Uday Prasad R/o Village - Begumpur P.S. Ara (T),
Dist. - Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Advocate

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

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 16-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 18.06.2016 in connection with N.D.P.S. Case No. 04 of 2016, arising out of Koransarai P.S. Case No. 42 of 2016 pending in the Court of learned Special Judge, Buxar registered for the offence punishable under Sections 420, 414, 467, 468, 120(B) of the Indian Penal Code and Sections 20(B)(II)(C), 22, 27(A) and 29 of the N.D.P.S. Act.

The prosecution case, as lodged by the police



personnel, is that during course of vehicle checking, petitioner and another co-accused Dharmdeo Singh were apprehended in a Hundai Verna car and from the back seat and the dickey of the car, 148.542 kilograms of ganja was recovered.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated. He submits that he is driver of the said car and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence

However, learned A.P.P. for the State vehemently opposes the prayer for bail stating therein that from the back seat and the dickey of the car huge quantity of ganja above commercial quantity has been recovered and the petitioner is not the driver, as seizure-list at paragraph 7 mentions the name of other co-accused in the driving licence, although that was also interpolated. He submits that the bail application of co-accused Dharmdeo Singh has been rejected by this Court.



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.)

Arjun/-

U		T	
---	--	---	--

