

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36853 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -BALIA District- BEGUSARAI

=====

Fultus Kumar Son of Pankaj Singh Resident of Village - Bariarpur, P.S.
Ballia, District Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Sri Parmanand Prasad

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 21-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
21.01.2017 in connection with N.D.P.S. Case No. 01 of 2017
arising out of Ballia P.S. Case No. 19 of 2017 for offences
punishable under Sections 8/20(B)(II)(C) 25/29 of the N.D.P.S.
Act.

The prosecution case, as lodged by the police
personnel, is that on a tip off the police official conducted a raid
and found a motorcycle and Marshal car was coming. While they
had given order to stop they managed to flee away. The three



passengers of the Marshal car were apprehended including the petitioner and from the dickey 110 kg. of Ganja was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and he is a student of Computer Application in Maulana Mazharul Haque Arabic & Persian University, Patna. He submits that he was just a passenger and has been arrested in his house but because of the highhandedness of the police officials he has been named in the F.I.R. He submits that nothing has been recovered from his conscious possession and he is ready to co-operate in the trial on day to day basis.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner was apprehended and huge quantity of contraband Ganja was recovered.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with N.D.P.S. Case No. 01 of 2017 arising out of Ballia P.S. Case No. 19 of 2017, pending in the court of learned Additional Sessions Judge-1-cum-Special Judge, Begusarai.

The application is, accordingly, rejected.



However, the petitioner is at liberty to renew his prayer
for bail after framing of charge.

(Nilu Agrawal, J)

Devendra/-

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

