

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60681 of 2017

Arising Out of PS.Case No. -4446 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District -
EASTCHAMPARAN(MOTIHARI)

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Ali Imam Gadi son of Shri Suba Gadi

.... Petitioner/s

Versus

1. State of Bihar
2. The Union of India through Deputy Commissioner, Land Customs
Station, Raxaul, East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Namrata Mishra
Ms. Archana Jha

For the U.O.I. (Customs) : Mr. Satya Prakash Tripathy
Mr. Satya Vrat

For State : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 18-01-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the Customs Department.

The petitioner is in custody since 24.03.2017 in
connection N.D.P.S. Case No. 32 of 2017 registered for the
offences punishable under Sections 20, 23 and 24 read with
Section 219 of the N.D.P.S. Act.

Dairy in this case has been called for which has since
been received.

Learned counsel for the petitioner submits that a
substance known as *Charas* was recovered from the conscious
possession of the petitioner i.e., Dikki of the motorcycle which the
petitioner was riding. It is further submitted that after seizure, the



petitioner was taken into custody. The officer seizing the vehicle and taking sample of the substance, sent the same for examination and the report shows that the sample so seized was *Charas*. The report also reveals that the quantity of *Charas* recovered was 4.17 Kg.

In view of the provisions of law and that it is much beyond the small quantity as also the commercial quantity, this Court is not inclined to grant regular bail to the petitioner.

It is accordingly dismissed.

(Anjana Mishra, J)

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