

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54837 of 2019

Arising Out of PS. Case No.-377 Year-2018 Thana- BARHARA District- Bhojpur

=====

BADHU PASWAN @ BADHU RAM S/o Shri Bhagwan Paswan R/o
Rampur, P.S.- Barahara, District- Ara, Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Durga Narayan

For the Opposite Party/s : Mr.Abhay Kumar Roy

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-11-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 21.9.2018 in a case registered for the offences punishable under Sections 8(c),20 and 29 of the NDPS Act.

The prosecution case is that on 19.9.2018 at 12.30 P.M. the informant, being police officer received information that the petitioner has brought heroin and is making its small sachets. Consequently, raid was laid and from the bag in the possession of the petitioner, 700 gram paracetamol, 920 gram heroin like substance, 100 gram brown powder like substance, 40 gram brown papular substance 30 gram, white powder like substance and weighing equipment were recovered.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely framed in this case and the



investigation has already been concluded. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP after going through case diary, submits that commercial quantity of contraband has been recovered from the possession of the petitioner.

Considering the recovery of commercial quantity of contraband from the possession of the petitioner and also in view of the embargo under Section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioner in connection with Barhara P.S. Case No. 377 of 2018 pending in the Court of the learned Sessions Judge, Bhojpur at Ara.

This application is accordingly dismissed.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

