

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28928 of 2020

Arising Out of PS. Case No.-3 Year-2019 Thana- D.R.I District- Patna

PARVEJ KHAN Son of Late Islam Khan @ Isla Khan Resident of Village -
Torkpurla, P.S. - Chauja Yadav More, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Himanshu Sagar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-12-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel appearing for the petitioner and Shri Aditya Narayan Singh, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with F. No. DRI/LZU/PRU/718(II) ENQ. 03/19 dated 26.01.2019/Special Case No. 13 of 2019 for the offence punishable under Section 23 of the NDPS Act.

The allegation is regarding recovery of 250.100 kgs of Ganja from a pick up vehicle being driven by the petitioner, upon the said vehicle being intercepted and apprehended by the Intelligence Officer, DRI, Regional Unit, Patna and his team.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 26.01.2019.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, I find that huge quantity of Ganja, which is much more than the commercial quantity, as specified in the Schedule to the NDPS Act, 1985, has been recovered and the petitioner has been caught red handed, hence taking into account the stringent provisions contained in Section 37 of the NDPS Act, 1985, I do not find the present case to be a fit case for grant of bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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