

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86306 of 2019

Arising Out of PS. Case No.-367 Year-2018 Thana- ADAPUR District- East Champaran

KAMLESH GUPTA Son of Late Vasudeo Gupta @ Basudeo Gupta Resident
of Village- Belaiya, P.S.- Belaiya, District- Rupandehi (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Shail Kumari

For the Opposite Party/s : Mr.Satyavrat Verma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 02-06-2020 Heard learned counsel for the parties.

The Petitioner seeks bail in **NDPS Case No. 77 of 2018 arising out of Adapur P.S. Case No. 367 of 2018** registered for the offence punishable under Sections 8(c) and 21(c) of the NDPS Act.

Allegation is of recovery of 275 grams of Heroin from the possession of petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on the basis of suspicion only. It has been further submitted that search, recovery and seizure have not been made as mentioned in Section 100 of Cr.P.C. Petitioner has got no criminal antecedent and is in custody since 17.12.2018.

Considering the fact that 275 grams of Heroin has



been recovered from the possession of petitioner which is a contraband item and the quantity is more than commercial quantity, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected.

However, the trial court is directed to expedite the trial of the petitioner and conclude the same within a period of one year from the date of receipt/production of a copy of this order. If the trial of the petitioner is not concluded within a period of one year, he would be at liberty to renew his prayer for bail.

(S. Kumar, J)

ranjan/-

U			
---	--	--	--

