

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20908 of 2021

Arising Out of PS. Case No.-326 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

RAJA KUMAR @ RAJA S/O MANJAY SAHNI R/o village- Sanathi, P.S.-
Bochaha, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Mishra
		Mr. Nagendra Sharma
For the Opposite Party/s :		Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 06-12-2021 The applicant/accused in Crime No.326 of 2020, registered with Bochaha Police Station for the offences punishable under Sections 20/22 of the N.D.P.S. Act as well as Sections 25 (1-b)a/26/35 of the Arms Act at the instance of first informant, by this application is seeking release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicant/accused. He argued that nothing was seized from the possession of the applicant except a fire arm. It is further argued the car was at the market place and looking to the police, innocent necessary person like the applicant had attempted to flee from the spot. There is no report of forensic laboratory in respect of the contraband.

The learned Prosecutor opposed the applicant.

Prosecution case as reflected from the FIR shows that Ganja being 10 kg. and 200 grams and Charas being one kilogram, i.e., in commercial quantity came to be seized from the Alto car in which the applicant as well as the co-accused were traveling. They all were found to be armed with fire arms apart from the contraband.

Considering the submissions so advanced and also perused the charge sheet.

Considering the nature of the averments and the fact that the applicant was found in the car with the contraband, no case for grant of bail is made out. The application is rejected.

It is expected that the trial Court to take up the trial and finish it of within a period of one year from today.

(A. M. Badar, J)

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