

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22797 of 2021

Arising Out of PS. Case No.-229 Year-2020 Thana- CHARPOKHARI District- Bhojpur

SUSHIL KUMAR PANDEY @ NISHANT PANDEY S/o Kamlesh Pandey
R/o village- Nagari, P.S.- Charpokhari, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE UNION OF INDIA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Adv
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 15-12-2021 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Petitioner who is in custody since 24.12.2020 seeks
bail in connection with N.D.P.S. Case No. 21 of 2020 arising out
of Charpokhari P.S. Case No. 229 of 2020 registered for offence
punishable under Section 8/20(B) (ii) (c)/27 of N.D.P.S. Act.

Prosecution case in brief is that 25 kg of narcotic
material purported to be *ganja* was recovered and in front of
two witnesses seizure list was prepared in accordance with
provisions of N.D.P.S., Act after obtaining sanction of the higher
authority.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is a contractual worker engaged by



the power distribution company at Ara. He further submits that he is living separately from his father and he has no connection with the affairs of his father. He further submits that the petitioner has falsely been implicated in this case as he was present at the time of arrest.

Learned A.P.P appearing on behalf of the State submits that the seized item is more than commercial quantity and as such the petitioner does not deserve to be released on bail.

Considering the above mentioned facts and circumstances of the case and petitioner has not produced any evidence relating to his alleged contractual employment with the power distribution company, I am not inclined to enlarge the petitioner on bail.

Accordingly, the present bail application is dismissed.

(Purnendu Singh, J)

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