

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23147 of 2021

Arising Out of PS. Case No.-98 Year-2020 Thana- BARAUNI District- Begusarai

MD SHAMSHAD ALAM Son of Md. Samad @ Abdul Samad @ Md. Abdul Samad Resident of Papraur, P.S. - Barauni, Zeromile, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abul Kalam, Advocate.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-09-2021 Heard learned counsel for the petitioner and learned APP for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the offence punishable under Section 8/20 (b) (ii) (C) of the N.D.P.S. Act.

120 kilogram of Ganja is said to have been recovered from the house of the petitioner and the petitioner was apprehended.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.



As a matter of fact, the petitioner is a lunatic and has given the front rooms to Sajan Kumar and others on rent to run their grocery shop and the said Sajan Kumar was doing the illegal business of Ganja. Petitioner has no concern with the alleged recovery. The petitioner has one criminal antecedent and has been languishing in custody since 11.03.2020.

Learned APP for the State vehemently opposing the bail petition submitted that huge quantity of Ganja weighing about 120 kgs has been recovered from the house of the petitioner, which is a commercial quantity, hence the petitioner does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected. However, the learned Trial Court is directed to expedite the trial.

(Anjani Kumar Sharan, J)

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