

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20658 of 2020

Arising Out of PS. Case No.-74 Year-2019 Thana- INARWA District- West Champaran

HASAN ANSARI S/o Jamadan Miyan Resident of Village- Gabnaha
Baswariya, P.S.- Lauriya, Distt- West Champaran, Bettiah.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate
For the Opposite Party/s : Ms. Pronoti Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 25-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Inarwa P.S. Case no. 74/2019 registered under sections 20, 20(C), 22, 23, 24 and 28 of the N.D.P.S. Act.

As per allegation in the first information report, on an auto being stopped and searched it is stated that 11 kgs of charas worth Rs. 2.2 crores was recovered from the accused.

It is submitted by learned counsel for the petitioner that no recovery as alleged has taken place from the person or possession of the petitioner. Even from reading of the first information report it is not clear as to from whose possession the alleged charas was recovered. There is no report confirming the said seized material was charas. The petitioner has no



criminal antecedent. He is in custody since 1.12.2019 and only one witness has been examined on behalf of the prosecution.

The application for bail is opposed by learned Additional Public Prosecutor for the State who submits that 11 kgs of charas was recovered from the possession of the petitioner. It is submitted that just one kg charas comes under the commercial quantity and the quantity of recovery is 11 kgs.

A report was called for from the learned Court below with respect to the stage of the trial from which it transpires that one prosecution witness out of nine chargesheet witnesses has been examined.

Having heard learned counsel for the parties and taking into consideration recovery of 11 kgs of charas, the Court is not inclined to enlarge the petitioner on bail and the same is rejected.

The learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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