

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30471 of 2021

Arising Out of PS. Case No.-456 Year-2020 Thana- KUDHNI District- Muzaffarpur

PAPPU KUMAR Son of Late Ram Chandra Paswan Resident of Village -
Barkurba, P.S.- Kudhani (O.P. Turki), District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-12-2021 Heard Mr. Chandra Shekhar Anand, learned counsel
for the petitioner and Mr. Akshay Lal Pandit, Additional Public
Prosecutor for the State.

Petitioner seeks regular bail in connection with NDPS
PS Case No. 59/2020 arising out of Kurhani PS Case
No.456/2020 registered for the offence punishable under
Section 8, 20, 22 of the NDPS Act.

The allegation against the petitioner, as per First
Information Report, is that 1 Kilogram of *Charas* has been
recovered from possession of the petitioner.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged.
He further submits that the procedure prescribed under Section
50 of the NDPS Act has not been adhered to at the time of
search and seizure. Learned counsel next submits that without



chemical analysis the allegation has been made against the petitioner that *Charas* has been recovered from his possession.

Regard being had to the submissions made by the parties and taking into consideration the material on record and the fact that 1 Kilogram of *Charas* has been recovered from the possession of the petitioner which is a commercial quantity and the petitioner has been arrested on the spot, I am not inclined to grant regular bail to the petitioner. The prayer for bail is, hereby, rejected.

(Anil Kumar Sinha, J)

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