

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33502 of 2021

Arising Out of PS. Case No.-7 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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KISHAN LAL Son of Late Chauram Resident of Village and P.O. - Lasudiya,
P.S.- Garoth, District - Mandsaur, (Madhya Pradesh).

... .. Petitioner/s

Versus

The Union of India

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar
For the Opposite Party/s : Mr.K.N. Singh (A.D.S.G.)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 29-10-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 18, 22, 25, 29, 31 of the
NDPS Act.

As per the prosecution case, about three kg. of Heroin
has been recovered from the possession of the petitioner.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. No incriminating article has been recovered from the
conscious possession of the petitioner and mandatory provision
with regard to search and seizure has not been followed. It is
further submitted that test report of the recovered article does
not corroborate positive for Heroin, rather the same reported



positive for Alprazolam along with Acetaminophen. Petitioner is in custody since 22.08.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that huge quantity of Heroin has been recovered from the possession of the petitioner.

Considering the nature of accusation and recovery of huge quantity of narcotic substance, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

However, since the petitioner is in custody since 22.08.2020, the trial court is directed to conclude the proceedings as early as possible.

(Prabhat Kumar Singh, J)

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