

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29963 of 2020

Arising Out of PS. Case No.-146 Year-2020 Thana- HAJIPUR District- Vaishali

=====

GODHAN KUMAR S/O Munarik Rai @ Munarik Ray Resident of Village -
Noonphar Gudari Bazar, P.S. - Hajipur Town, District - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Vasant Vikas, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-01-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in Hajipur Town Police
Station Case No. 146 of 2020 registered for the offence
punishable under Section 30a of the Bihar Prohibition and
Excise Act and sections 20/22 of the NDPS Act.

As per FIR, 10 bottles of 375 ml each foreign liquor
was recovered from the bag of the petitioner, whereas 20 small
pouches of smack like substance were recovered from the
pocket of his pant.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. It is further submitted that no incriminating material
has been recovered from the conscious possession of the
petitioner. Quantity of alleged smack has not been weighed. The



mandatory provision of law for search and seizure given under section 100 Cr.P.C. has not been followed. Petitioner has got no criminal antecedent and he is in custody since 12.2.2020.

Learned counsel for the State submits that illicit liquor and the contraband substance have been recovered from the petitioner, as such, the petitioner does not deserve bail.

In view of the nature and gravity of the allegation, prayer for bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

