

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57279 of 2021

Arising Out of PS. Case No.-17 Year-2012 Thana- CHAND District- Kaimur (Bhabua)

Raju Shah @ Raju Prasad, aged about 27 years (Male) Son of Rajendra Prasad @ Rajendra Sah R/O Village- Chand, P.S.- Chand, Dist.- Kaimur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Radha Mohan Pandey, Adv.
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-12-2021 Heard learned counsel for petitioner and learned counsel for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in *Chand* PS Case No. 17 of 2012, instituted for the offence under Sections 20(B), 21 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act').

Learned counsel for the petitioner places reliance on two affidavits filed in the trial Court by seizure list witnesses to the effect that they have signed on blank paper. The prayer for bail was earlier rejected on 23.02.2021 having regard to the



allegation regarding recovery of 219 Kg 500 gram *ganja* from the petitioner and having regard to the bar under Section 37 of the Act. The affidavits relied upon by the petitioner cannot be considered. Unless the deposition of the so called deponent of the affidavits are recorded in the Court, there is no occasion to reconsider the matter.

The application is rejected.

(Madhuresh Prasad, J)

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