

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1589 of 2021

Arising Out of PS. Case No.-172 Year-2005 Thana- SONEPUR District- Saran

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WAKIL RAI SON OF LATE MOTI RAI Resident of Village - Sabalpur,
Nawal Tola, P.S.- Sonpur, Distt.- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. the Superintendent of Police, Narcotic Control Bureau, Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Prashant Sinha
For the State	:	Mr. Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-04-2021 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through video

conferencing.

The petitioner seeks regular bail in connection with

NDPS Case No. 11 of 2005, arising out of Sonpur Police Station

Case No. 172 of 2005, registered for the offences punishable

under Section 414 of the Indian Penal Code, Section 47-A of the

Excise Act and Section 20 of the Narcotic Drugs and

Psychotropic Substances Act, 1985.

The allegation, as per the First Information Report, is

that a raid was conducted in the house of the petitioner and 50

kgs. of ganja was recovered, kept in a plastic bag.

Learned Counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case without following the procedure prescribed under the law. He further submits that charge sheet has been submitted against the petitioner without attaching the report of the Forensic Science Laboratory of the seized material.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the First Information Report was lodged in the year 2005 and the petitioner was declared absconder in this case on 30.07.2015 and further that huge quantity, i.e. more than commercial quantity, of ganja has been recovered from the possession of the petitioner, I am not inclined to grant regular bail to the petitioner.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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