

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2382 of 2022

Arising Out of PS. Case No.-333 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

MD. TAUKIR S/o Md. Suleman R/o village- Devgan, P.S.- Bochahan,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-07-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 20 and 22 of the NDPS Act.

Recovery is of 480 gms. of Charas.

Learned counsel for the petitioner submits that the
petitioner, who is of clean antecedent, is innocent and has
not committed any offence. He further submits that
according to the F.I.R., 480 gms. of Charas is said to have
been recovered from the possession of the petitioner. He
further submits that in fact, nothing incriminating has been



recovered from the conscious possession of the petitioner and he has no concern with the alleged recovery. He further submits that the alleged recovered quantity is less than the commercial quantity. He also submits that the petitioner is not involved in illegal dealing of Charas or any other narcotic substance. He further submits that the petitioner, who is of no fault, is rotting in judicial custody since 08.12.2020.

Learned A.P.P. for the State has, vehemently, opposed the prayer for bail of this petitioner and submits that 480 gms. of Charas has been recovered from the possession of the petitioner. He also submits that though the recovered quantity does not come within the purview of commercial quantity but it is more than the small quantity, therefore, the petitioner seems to be engaged in dealing with the contraband substance like charas.

Result of examination of Forensic Science Laboratory is as under;

“The blackish brown coloured resinous substance as described above was found to contain “CHARAS”. Charas is the crude resinous matter collected from leaf and flowering tops of cannabis plant whose chief psychoactive ingredient is Tetrahydrocannabinol (THC).”

In view of the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail at



this stage. Accordingly, the prayer for grant of bail to the petitioner is rejected.

However, learned trial court is directed to expedite the trial.

(Rajesh Kumar Verma, J)

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