

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6062 of 2022

Arising Out of PS. Case No.-303 Year-2021 Thana- ADAPUR District- East Champaran

Krishna Sah, Son Of Ram Ratan Sah, R/O Village- Pahurampur, P.S.-
Turkauliya, District- East Champaran Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with NDPS Case No.104 of 2021 arising out of Adapur P.S. Case No. 303 of 2021 registered for the alleged offence under Sections 8, 20 (b) (ii) (B) of NDPS Act.

The prosecution case is that on secret information that some persons were carrying Ganja from Nepal to India in a Bus, it was stopped and searched. The petitioner and co-accused were apprehended carrying 7.5 Kg of Ganja in a while bag.

It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and nothing has been recovered from his possession. The petitioner has no concern



with the contraband seized by the police and he has been made accused in this case merely on suspicion. The charge sheet in this case has already been submitted and the quantity of the contraband is less than the commercial quantity. The petitioner is in custody since 21.10.2021 and he has no criminal antecedent.

Learned APP has opposed the contention of the petitioner, submitting that 7.5 Kg of Ganja has been recovered from the possession of the petitioner.

Having regard to the submissions made hereinabove and considering the fact that contraband has been seized from the possession of the petitioner and another co-accused, I am not inclined to enlarge the petitioner on bail at this stage.

Accordingly, his prayer for grant of bail is rejected.

The trial court is directed to conclude the trial expeditiously preferably within a period of six months.

However, if the trial is not concluded within the aforesaid period of six months, the petitioner will be at liberty to renew his prayer for bail.

(Arun Kumar Jha, J)

V.K.Pandey/-

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