

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6446 of 2022**

Arising Out of PS. Case No.-361 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

Swroj Sahni @ Saroj Sahni S/O Ramdew Sahni Resident Of Village- Bagras,
P.S.- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

2 20-07-2022 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. 20 of 2021 arising out of Muffasil (Singhaul) P.S. Case No. 361 of 2021 registered for the alleged offences under Sections 8, 20 (b) 11 (c) 25, 29 of the N.D.P.S Act.

Allegedly, the petitioner was apprehended with 5.83 kg of Ganja.

Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. There has been no recovery from the conscious position of the petitioner. There is violation of Section 42 of N.D.P.S Act. Charge-sheet has been submitted in this case and the petitioner is in custody since 11.07.2021. The petitioner has got no criminal antecedent.

Learned APP opposes the prayer for bail submitting that the petitioner was caught red handed and from his possession, 5.85 Kg of ganja was recovered, whereas notified small quantity is only one kg.

Having regard to the submissions made hereinabove and considering the recovery of ganja from the possession of the petitioner, I am not inclined to grant bail to the petitioner at this stage. Hence, his prayer for bail is rejected.

However, the learned court below is directed to expedite and trial and conclude the same within six months.

If the trial is not concluded within a period of six months, then the petitioner may renew his prayer for bail.

(Arun Kumar Jha, J)

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