

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6781 of 2022

Arising Out of PS. Case No.-128 Year-2020 Thana- TARAPUR District- Munger

Sadesh Ghosh Son Of Late Sujeet Ghosh R/O Village- Anand Bazar, P.S.- Sri
Nagar, District- West Tripura, State- Tripura

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Soni Kumari

For the Opposite Party/s : Mr. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 13-12-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Tarapur
P.S. Case No. 128 of 2020, registered for the offences
punishable under Sections 20(b) (ii)/ 22(c) of N.D.P.S. Act.

As per allegation, 200 kg. of Ganja has been
recovered from the cabin of the truck.

The learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
this case. He further submits that his name has not figured
in the seizure list though the names of the driver and owner
of the truck, wherefrom recovery has been made, are



mentioned. He also submits that his name has been mentioned in the FIR only with malafied to falsely implicate the accused-petitioner. He also submits that the impugned order reveals that the FSL report has not been received till date. He further submits that investigation is complete and charge-sheet has been submitted.

The petitioner has been languishing in jail since 02.09.2020.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has no criminal antecedent.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail submitting that recovered contraband is much above the commercial quantity and there is sufficient material in support of the prosecution case.

Considering the aforesaid facts and circumstances, particularly the quantity of the contraband recovered from



the truck wherein petitioner was sitting, I am not persuaded to enlarge the petitioner on bail at this stage.

The application stands rejected accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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