

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35072 of 2021

Arising Out of PS. Case No.-283 Year-2020 Thana- HATHAURI District- Muzaffarpur

PAPPU KUMAR Son of Nageshwar Sahni Resident of Village - Barhad, P.S.-
Hathauri, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Raj

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Hathauri Police Station Case No. 283 of 2020, registered for the
offences punishable under Sections 25(1-b)a/26/35 of the Arms
Act and Sections 20/22 of the Narcotic Drugs and Psychotropic
Substances Act, 1985.

The prosecution case, as per the First Information
Report, is that 01 kg. of charas has been recovered from the
possession of the petitioner.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to oblique
motive and from perusal of the seizure list, it would be evident
that there is interpolation in the date of seizure list inasmuch as



the petitioner was taken into custody on 11.12.2020.

On the other hand, learned Additional Public Prosecutor vehemently opposed the prayer for bail and submits that charas, which is of commercial quantity, has been recovered from the possession of the petitioner and as per Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, the petitioner is not entitled to be released on bail.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that commercial quantity of charas has been recovered from the possession of the petitioner and as such, in view of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, 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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