

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37822 of 2021

Arising Out of PS. Case No.-592 Year-2020 Thana- KANTI District- Muzaffarpur

Kamruddin Mian @ Makra Son of Md. Rasul Resident of Village - Sherna,
P.S.- Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 19-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 8, 20(b)(ii)c, 22(c) of N.D.P.S. Act and Section 25(1-b)a, 26, 35 of Arms Act.

Recovery is of 800 grams of Charas from the possession of the petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that nothing has been recovered from the conscious possession of the petitioner, rather the police



has planted the same and shown the recovery from the possession of the petitioner. The petitioner is in custody since 23.09.2020.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the F.S.L. report confirms that the recovered article is Charas and total 800 grams of Charas has been recovered from the conscious possession of the petitioner and the same is more than the small quantity but fairly submits that the same is less than the commercial quantity and petitioner carries seven criminal antecedents other than the present one.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Kanti P.S. Case No. 592 of 2020, corresponding to N.D.P.S. Case No. 81 of 2020 pending in the court of learned Sessions Judge-cum-Special Judge, Muzaffarpur.

Prayer is refused.

(Rajesh Kumar Verma, J)

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