

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42504 of 2022

Arising Out of PS. Case No.-270 Year-2021 Thana- KESARIA District- East Champaran

Ramanand Patel Son of Ajit Patel Resident of village- Sihorwa, P.S- Raxaul,
Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s: Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), if any, as pointed out by the office,
be removed within a period of four weeks.

In the present case, the petitioner seeks bail in connection with N.D.P.S. Case No. 69/2021 arising out of Kesariya P.S. Case No. 270 of 2021 registered for the alleged offences under Section 414 of the Indian Penal Code and Section 8/20(b)11(c) of the NDPS Act.

As per prosecution case, police received secret information about a deal being made for some psychotropic substance by a gang. At the identified place police found some persons moving suspiciously. Three persons were apprehended by the police and petitioner is one of the apprehended persons.



From the possession of this petitioner one motorcycle was seized and from a plastic bag on the motorcycle 7.500 kg of *charas* was recovered. It is alleged that the petitioner brought the *charas* to hand over the same to the co-accused Dharmendra Sahani.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of this petitioner. The police has prepared a false and fabricated seizure list and it does not bear the signature of the petitioner. The seized articles was not sent to the forensic laboratory to confirm whether it is a psychotropic substance. The motorcycle shown to be recovered from the petitioner does not belong to him. Other co-accused persons have been granted bail by the learned trial court. The petitioner is in custody since 10.04.2021 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the petitioner has three cases of serious nature in his criminal antecedent.

Having regard to the facts and circumstances and considering the recovery of 7.500 kg of *charas* from the possession of the petitioner, I am not inclined to enlarge this petitioner



on bail.

Hence, his prayer for bail is rejected.

However, the trial court is directed to expedite the trial and conclude the same within a year.

(Arun Kumar Jha, J)

himanshu/-

U		T	
---	--	---	--

