

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52370 of 2021

Arising Out of PS. Case No.-278 Year-2021 Thana- KUCHAIKOTE District- Gopalganj

KHURSID ALAM, Son of Idirish Miya Resident of Village - Gamhariya,
Birnagar, P.s.- Palanwa, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-02-2022 Heard the learned counsel for the petitioner and the
learned APP for the State, through Video Conferencing.

The petitioner seeks bail in connection with Trial No.
35 of 2021 arising out of Kuchaykote P.S. Case No. 278 of
2021, instituted for the offences under Sections 23, 25 and 29 of
N.D.P.S. Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 04.07.2021, he is a person with
clean antecedent, charge-sheet has been submitted and the
informant alleges that a car, as detailed in the FIR was stopped
during night patrolling and three accused persons were found
sitting in the car, who after seeing the police trying to escape but
were apprehended. Petitioner being one of them and on search,
23 packet of *Ganja* wrapped in a polythene weighing 160 kg. were



recovered from the dicky of the car which was being smuggled from Nepal, as disclosed by the accused person.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and the chargesheet has been submitted in absence of FSL and the petitioner was not sitting in the car rather was a passer by and was arrested by the police, merely, he was present at the place of occurrence.

The learned A.P.P. vehemently opposes the bail application and submits that the recovery is of huge quantity of *Ganja*, i.e., 160 k.g. which has the effect of destroying the youth, who consume.

Considering the submissions made by the learned APP, the Court is not inclined to enlarge the petitioner on bail, therefore, the prayer for bail of this petitioner is hereby rejected.

(Satyavrat Verma, J)

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