

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59423 of 2021

Arising Out of PS. Case No.-101 Year-2021 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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Sanjay Kumar, Son of Lalan Ram, Resident of Village - Bajardihwan, P.S. -
Bhagwanpur, District - Kaimur (Bhabhua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghwendra Pratap Singh, Advocate
For the Opposite Party/s : Mr.Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 31-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Bhagwanpur P.S. Case No. 101 of 2021, registered for the alleged offence under Sections 8 (c), 20 (b) (ii) (c) and 29 of N.D.P.S Act.

As per the prosecution case, the police received secret information that the petitioner has stored a huge quantity of ganja in his house. A raid was conducted and a person tried to escape from the house, who was apprehended and identified as



this petitioner and from search of his house, 25.300 K.G. of ganja was recovered.

It has been submitted on behalf of the petitioner that the petitioner is innocent and has been falsely implicated in this case. The exact place of recovery has not been mentioned in the seizure list. All the witnesses are police personnel and signature of the petitioner was taken under coercion on a plain paper for preparation of the seizure list. The petitioner is in custody since 15.06.2021 and the charge sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the witnesses in paragraphs 4, 5 and 6 of the case diary have supported the prosecution case regarding recovery from the house of this petitioner and his apprehension from the spot. The F.S.L. report has come on record, which shows that seized contraband was found to be ganja and the quantity of ganja seized comes under the notified commercial quantity.

Having regard to the submissions made hereinabove and considering the recovery of commercial quantity of contraband from the house of the petitioner, I am not inclined to enlarge the petitioner on bail.

Accordingly, his prayer for grant of bail is rejected.

However, the learned trial court is directed to expedite



the trial and conclude the same at the earliest.

(Arun Kumar Jha, J)

V.K.Pandey/-

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