

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50665 of 2022

Arising Out of PS. Case No.-152 Year-2021 Thana- RAIL JHAJHA District- Jamui

Vijay Chauhan S/o Naresh Chauhan, R/o village- Murgahava Daunaha, P.S.-
Dhanaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
N.D.P.S. Case No. 10 of 2021 arising out of Rail Jhajha P.S.
Case No.152 of 2021, lodged under Sections 20(ii)(B)(C) of
N.D.P.S. Act.

As per prosecution case, the recovery of 25.600 kg
ganja were made in 3 bags. Petitioner alongwith one another
were apprehended from A.C.-2 Coach of train number 23287,
seat no. 22 & 24.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further

submits that antecedent of petitioner is clean and he is in custody since 24.12.2021. He also submits that the said recovery may be more than commercial quantity but it is being made from the possession of two different persons. He further submits that petitioner is not alone and in this view of the matter this commercial quantity may not be treated against anyone alone.

Learned counsel for the State opposes the prayer for bail and submits that the recovery is 25.600 kg of ganja has been made and till date charge has not been framed.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, his bail application is hereby **rejected**.

Learned Trial Court is directed to expedite the trial as early as possible.

Liberty is hereby granted to the petitioner that he may renew his prayer for bail after one year from the date of passing of this order.

(Dr. Anshuman, J.)

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