

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66716 of 2021**

Arising Out of PS. Case No.-453 Year-2020 Thana- NAGAR District- Vaishali

SAKALDIP PASWAN @ SAKALDIP KUMAR Son of Vishwanath Paswan
Resident of Village- Sondho Mubarakpur, P.S.- Goraul, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh

For the Opposite Party/s : Mr.Mohammed Arif

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 28-02-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 20, 22, 23, 24, 27, 27A, 29 of the N.D.P.S. Act.

As per the prosecution case, one Kg Charas has been recovered from the possession of the petitioner.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. It is submitted that charge has already been framed in this case and similarly situated two accused persons have already been granted bail by a co-ordinate Bench of this court. Petitioner is in custody since 15.07.2020



and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that more than commercial quantity of Charas has been recovered from the possession of the petitioner and case of petitioner is distinguishable from other co-accused, who have been granted bail, as more than commercial quantity of Charas has been recovered from the possession of petitioner whereas less than commercial quantity of Charas has been recovered from the other two accused persons.

Considering the facts of the case and quantity of recovery of Narcotic substance, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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