

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.441 of 2022

Arising Out of PS. Case No.-404 Year-2021 Thana- BIDUPUR District- Vaishali

RAMESH RAI S/o Jai Prakash Rai R/o village- Kutubpur, P.S.- Bidupur,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 2646 of 2022

Arising Out of PS. Case No.-404 Year-2021 Thana- BIDUPUR District- Vaishali

JAI PRAKASH RAI S/o Late Moti Rai R/o village- Kutubpur, P.S.- Bidupur,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 441 of 2022)

For the Petitioner/s : Mr. Suresh Prasad Singh, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 2646 of 2022)

For the Petitioner/s : Mr. Suresh Prasad Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

5 17-01-2023 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 20(b)(ii) (c), 232(c), 27A and 29 of the NDPS Act.

As per the prosecution case, on a secret information having been received a raid was conducted in the house of the petitioners and on search it is stated that 4 bundles of *ganja* totaling 29.242 kgs were recovered.



It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. No incriminating article has been recovered from the house of the petitioners. Referring to the seizure list it is submitted that reading of the seizure list, the signature contained thereon and the contents of the FIR would show that the petitioner Ramesh Rai has been falsely implicated in the case only for the reason of his being the son of Jai Prakash Rai. The petitioners are in custody since 20.8.2021 and have no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegations according to which a total of 29.242 kgs of *ganja* is said to have been recovered from the house of the two petitioners who are father and son and both were taken into custody at the time of recovery, the seizure being of commercial quantity, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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