

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6322 of 2023

Arising Out of PS. Case No.-608 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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Chadeshwar Prasad @ Chandrashekhar Prasad @ Satish Kumar Son Of Late
Nathuni Prasad R/O Pipra Ward No. 5, P.S- Chanpatia Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lal Babu Singh

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Bettiah Town P.S. Case No. 608 of 2021 instituted for the
offence under Sections 20(b)(ii)(c), 23 and 29 of the NDPS Act
and Section 414 of the IPC.

Prosecution case relates to recovery of 4.450 kg
Charas like narcotics substance from a hotel and the petitioner
along with one co-accused person was apprehended by the
police with the said incriminating article and at their instance,
some other charas smugglers were apprehended.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case. It
is further submitted that the provision of NDPS Act has not been



followed in this case. It is also submitted that the recovery has been made from the joint possession and also as per seizure list, it is not clear from whose possession how much charas like substance has been recovered. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 29.10.2021.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in FIR and the recovered quantity of charas like substance comes within the purview of commercial quantity as per NDPS Act and also the petitioner was apprehended on spot with the incriminating article.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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