

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10111 of 2023

Arising Out of PS. Case No.-454 Year-2022 Thana- KISHANGANJ District- Kishanganj

KIRAN LOHAR @ KIRAN Wife of Binod Lohar @ Late Vinod Lohar
Resident of Imli Chowk Meraniyon Mohalla Kanpur, P.S.- Pratapnagar,
District - Udaipur (Rajsthan)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 29-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Kishanganj P.S. Case No. 454 of 2022 instituted for the offence under Sections 420, 468 of the I.P.C. and sections 8/20(b)(ii)(c), 20(c) & 29 of the N.D.P.S. Act.

3. As per F.I.R., prosecution case relates to recovery of Ganja like contraband substance i.e. 62 kg from a vehicle bearing Registration no. WB96N-6222 in which the accused persons including the petitioner were traveling who are said to have been arrested on spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case. The petitioner has no concern with



the alleged recovery of *ganja* like contraband substance or with the vehicle in question. It is further submitted that the provision of N.D.P.S. Act has not been followed properly. Moreover, the petitioner is a lady and languishing in judicial custody since 23.11.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner was apprehended on spot from the vehicle in question from where, *ganja* like narcotic substance was recovered which is said to be 62 kg and the same comes within purview of commercial quantity as per the N.D.P.S. Act. It is also submitted that witnesses of this case have also supported the prosecution.

6. Having heard the learned counsel for the parties and considering the huge quantity of contraband substance like *ganja*, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. 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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