

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13423 of 2023

Arising Out of PS. Case No.-204 Year-2022 Thana- JHANJHARPUR District- Madhubani

CHHOTAN GHOSH S/O NIREN GHOSH R/v- Raypara Naxalbari, P.S.-
Naxalbari, District- Darjeeling, West Bengal.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Y.C. Verma, Sr. Adv. Mr. Shankar Kumar Thakur
For the Opposite Party/s	:	Mr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 26-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted for the offence under Section 272 and 273 of the Indian Penal Code and Section 272 and 273 of the Narcotic Drugs and Psychotropic Substance Act read with section 30(a) of Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 59.5 kg ganja like substance and 2.250 litres of liquor from the back seat of Swift Maruti Suzuki of which petitioner was driver.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Petitioner was simply a part time driver of the alleged vehicle. He was not



in knowledge about keeping of contraband material inside the vehicle. Police has not complied the mandatory provision of Section 50 of the NDPS Act. Petitioner has got no criminal antecedent and languishing in judicial custody since 8.9.2022.

5. The application for bail is opposed by learned APP for the State and submitted that the recovered quantity of ganja like substance is more than the commercial quantity.

6. 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.

7. The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

