

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14698 of 2023**

Arising Out of PS. Case No.-425 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Santosh Paswan Son Of Dular Chand Paswan R/V- Gachhi Tola, Ward No.
30, P.S- Nagar, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha
For the Opposite Party/s : Mr.Md. Fahimuddin

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 27-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Muffasil P.S. Case No. 425 of 2022 instituted for the offence
under Sections 8/20(b)(II)(c) of the NDPS Act.

Prosecution case relates to recovery of two bags
containing 14.720 kg and 14.820 kg of Ganja like intoxicating
substance from the Tata Tiago car. It is further alleged that two
mobile phones and cash of Rs. 1570/- have also been recovered
from the possession of the petitioner along with other co-
accused person. Petitioner along with other co-accused person
was arrested on spot with the alleged recovery by the police.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this present case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. 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 18.08.2022. It is also submitted that the provision of NDPS Act has not been followed in this case.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the recovered ganja like intoxicating substance comes under the purview of commercial quantity as per NDPS Act and the petitioner along with other co-accused person was arrested on spot with the alleged recovery.

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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