

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15550 of 2023

Arising Out of PS. Case No.-285 Year-2022 Thana- DHAMDAHA District- Purnia

Dharmendra Mandal Son of Late Chhedi Mandal Village- Navabganj, Police
Station- Kursela Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 13-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 20(b)(ii)
(C)/25 of the N.D.P.S. Act.

As per FIR, prosecution case relates to recovery of
total 149.87 kg incriminating ganja from the house of brother-
in-law of the petitioner and the petitioner was apprehended on
the spot. Accordingly, this case has been lodged.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. It is further submitted that
the place of occurrence does not belong to the petitioner. The
petitioner has no concern with the alleged recovery of ganja like
narcotic substance. He has got no criminal antecedent as stated



in para-3 of the bail petition. It is also submitted that the petitioner is languishing in judicial custody since 03.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that petitioner is named in the F.I.R. and he was also apprehended on the spot with huge quantity of incriminating ganja. The alleged recovery of 149.87 kg incriminating ganja is much more than commercial quantity as per the N.D.P.S. Act. Further, seizure list witnesses have also supported the prosecution case.

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 at the earliest.

(Sunil Kumar Panwar, J)

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