

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18980 of 2023

Arising Out of PS. Case No.-296 Year-2022 Thana- SONBERSA District- Sitamarhi

SAJAN MANJHI S/O DEVNARAYAN MANJHI Resident of village-
Jamunia, Mushharnia, Basatpur, P.S.- Sobarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The Union Of India New Delhi
2. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 28-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Sonbarsa P.S. Case No. 296 of 2022 instituted for the
offence under Sections 8/20(b)(ii)(c)/22 of the N.D.P.S. Act.

3. As per F.I.R., prosecution case relates to recovery
of Charas like contraband substance i.e. 10 kg from possession
of the petitioner who was apprehended on spot while trying to
escape after seeing the police party.

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 *charas* like contraband substance. It is
further submitted that the provision of N.D.P.S. Act has not been



followed properly and charge-sheet has been submitted without F.S.L. Report. Moreover, the petitioner is languishing in judicial custody since 2.9.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner was apprehended on spot from whose possession, *charas* like narcotic substance was recovered which is said to be 10 kg and the same comes within purview of commercial quantity. As per F.S.L. report, Charas is detected containing T.H.C. as their chief intoxicating ingredient which is commonly known as Hasish. 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, 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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