

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19492 of 2023

Arising Out of PS. Case No.-266 Year-2021 Thana- BARHIYA District- Lakhisarai

Roshan Singh @ Raushan Singh Son of Lalan Singh Resident of Village-
Jaitpur Ps- Barahiya Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. D.K. Sinha
		Mr. Rajesh Kumar
For the Opposite Party/s	:	Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-08-2023 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 8/20(b)(c)(ii), 25, 29 of the N.D.P.S. Act.

As per FIR, prosecution case relates to recovery of total 549.570 kg incriminating ganja from a Truck bearing no. AS25DC/5023 which was kept in hidden condition below the vegetable sacks. 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. Neither the petitioner was apprehended on the spot nor the place of occurrence or vehicle in question belongs to the petitioner rather falsely shown the place of



occurrence belongs to the petitioner. It is also submitted that the petitioner is languishing in judicial custody since 06.09.2022.

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 charge sheet has been submitted after completing the investigation. The petitioner has nine criminal antecedents. The seizure list shows that the place of occurrence belongs to the petitioner. The alleged recovery of 549.570 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 learned trial court is directed to conclude the trial within six months as mentioned in the report of Additional District & Sessions Judge I-cum-Special Judge, SC/ST, Lakhisarai failing which, the petitioner will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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