

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23893 of 2023

Arising Out of PS. Case No.-6 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Shailendra Kumar Sharma Son Of Late Vidya Bhushan Sharma Resident Of
Village- Pema, P.S. - Goh, Distt. - Aurangabad (Bihar)

... .. Petitioner/S

Versus

Union Of India Through Sri Ramayodhya Kumar, Junior Intelligence Officer,
Narcotics Control Bureau Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Ravindra Kumar
For the Opposite Party/s :	Mr.Awadhesh kr. Pandey, Sr. C.G.C. Mr. R.K. Sharma, CGC

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 13-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for grant of regular bail
in the present case instituted for the offence punishable under
Section 8 (c) read with Sec. 20(b)(ii)(c) 25 and 29 of the
Narcotics Drugs and Psychotropic Substances Act.

3. Prosecution case relates to recovery of 193 Kg. Of
Ganja like substance from a Tata truck bearing registration No.
Br26GB2411. Petitioner and two other accused persons were
arrested on spot.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. Police has not complied the mandatory provision of Section 50 of the NDPS Act. Petitioner has no concern either with the seized Ganja or with the vehicle in question. He has been falsely implicated in this case. Petitioner has got no criminal antecedent and languishing in judicial custody since 27.02.2022.

Learned APP appearing for the State and learned counsel appearing for Union of India have opposed the prayer of bail and submitted that the quantity of alleged recovery is huge and comes beyond the commercial quantity.

6. Having heard the learned counsel for the parties and considering the recovery of huge quantity of ganja like substance, 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)

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