

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27618 of 2022

Arising Out of PS. Case No.-382 Year-2019 Thana- MAJHAULIA District- West Champaran

SAMUD ALAM Son of Sheikh Neyazuddin Resident of Village - Semra
Ghat, P.S.- Majhauriya, Distt.- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr. Advocate
		Mr. Prashant Kumar, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 18-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 120B, 191, 195 and 197 of the Indian Penal Code and sections 20, 22 and 23 of the NDPS Act.

As per the prosecution case, 1.95 kgs of *charas* was recovered from the shop of the petitioner.

It is submitted by learned Senior counsel for the petitioner that from the contents of the FIR itself it would be evident that the petitioner has been falsely implicated in the case. The petitioner would not use 1.95 kgs of *charas* the value of which would be more than a crore to falsely implicate any other persons in a false case. The truck was in possession of the



coaccused and the petitioner did not have anything to do with the same. It was the petitioner who was falsely implicate in the case for oblique reasons by the police personnel. The petitioner is in custody since 24.10.2021 and investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the recovery of 1.95 kgs of *charas* from the petitioner which happens to be commercial quantity, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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