

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29844 of 2023

Arising Out of PS. Case No.-257 Year-2022 Thana- GAUNAHA District- West Champaran

PAPPU DUBEY Son of Lalu Dubey Resident of village-Semri Dumri, Police
Station-Gaunaha, District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Gaunaha P.S. Case No. 257 of 2022 instituted for the offence under Sections 20(b)(ii)(c), 23(c), 29 of the N.D.P.S. Act and section 414 of the Indian penal Code.

3. According to the FIR, prosecution case relates to recovery of 7.35 kg smack like substance from possession of the petitioner. The petitioner is said to be pillion rider who was apprehended on spot while trying 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 smack or seized motorcycles. It is further submitted that the petitioner is languishing in judicial custody since 18.12.2022.

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 smack (*Charas*) like substance was recovered which is alleged to be 7.35 kg and the same is much more than commercial quantity as per N.D.P.S. Act. It is also submitted from perusal of F.S.L. Report, *Charas* is detected containing T.H.C. as their chief intoxicating ingredient which is commonly known as Hashis.

6. 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.

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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