

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30875 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- ARA NAGAR District- Bhojpur

1. Amarjeet Paswan Son of Late Ram Pravesh Paswan Resident of Village-Gausganj, P.S.-Ara Town, District-Bhojpur.
2. Sarvjeet Paswan Son of Late Ram Pravesh Paswan Resident of Village-Gausganj, P.S.-Ara Town, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 29971 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- ARA NAGAR District- Bhojpur

1. Shobha Kumari @ Shobha Devi W/o- Avinash Paswan Resident of Village-Gausganj, P.S.- Ara Town, District- Bhojpur.
2. Annapurna Devi W/o Late Pradeep Paswan Resident of Village- Gausganj, P.S.- Ara Town, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 30875 of 2022)

For the Petitioner/s : Mr. Vipin Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 29971 of 2022)

For the Petitioner/s : Mr. Satyam Shivam Sundaram, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 25-01-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in a case registered for the
offences punishable under Sections 21(6), 25, 27 of the N.D.P.S.



Act.

As per prosecution case, in brief, it is alleged that there is recovery of 196.5 gram of *Heroin* from the house of the petitioners.

Learned counsel for the petitioners submits that the petitioner namely Amarjeet Paswan carries five more cases other than the present one and the petitioner namely Sarvjeet Paswan carries six more cases other than the present one whereas petitioners namely Shobha Kumari @ Shobha Devi and Annapurna Devi have clean antecedents and they been falsely implicated in the present case. He further submits that nothing has been recovered from the conscious possessions of the petitioners. He further submits that petitioner namely Shobha Kumari @ Shobha Devi and petitioner Annapurna Devi, who have been implicated on on the ground they are wife and mother of the Avinash Paswan and recovery is less than the commercial quantity. Further submits that the raid was conducted in the house of Avinash Paswan and the petitioners are in custody since 04.01.2022.

Learned APP for the State, on the other hand, on the basis of material available on record and the case diary has vehemently opposed the prayer for bail of the petitioners and



submits that FSL report confirms that the recovered contraband is *Heroin*.

Hence, considering the quantity of recovered *Heroin* from the house of the petitioners, I am not inclined to enlarge the petitioners on bail in connection with N.D.P.S. Case No. 27 of 2022 arising out of Ara Town P.S. Case No. 04 of 2022 pending in the Court of learned Additional Sessions Judge-Vth, Bhojpur, Ara.

Prayer is refused.

(Rajesh Kumar Verma, J)

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