

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31489 of 2022

Arising Out of PS. Case No.-133 Year-2021 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

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CHANDRAKANT SAHNI S/o Birendra Sahni Resident of Village-
Bhagwanpur Kamla, Ward No.9, P.S.- Ujiyarpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh, Adv.
For the Opposite Party/s : Mr.Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 10-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in
connection with Samastipur Rail P.S. Case No. 133
of 2021, registered for the offence punishable
under Sections 8/20 (b)(ii)(c) of the N.D.P.S. Act.

The informant along with other police
personnel were secretly keeping a watch over
platform no.1, at Dalsingsarai and in the
meantime, three persons got down from a train,
who had arrived at platform no. 1 on the alleged
date and time of occurrence with two black colour
boxes, whereafter, the said three persons were



apprehended by the police. On enquiry it transpired that one person is the petitioner herein. It is further alleged that upon search, 104 kg. of ganja was recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 31.10.2021. It is further submitted that though the petitioner is an accused in one another case, but he is on bail in the said case.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also considering the materials available in the case diary, this Court finds that prima facie, the complicity of the petitioner in the alleged crime is writ large from the records and moreover the quantity of ganja, recovered



from the petitioner and other two co-accused persons, is much more than the commercial quantity defined in the Schedule notified under the provisions of the N.D.P.S. Act, 1985, i.e. 20 kg., hence, I am not inclined to grant bail to the petitioner, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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