

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33951 of 2023

Arising Out of PS. Case No.-218 Year-2022 Thana- KUTUMBA District- Aurangabad

Shyam Kishore Mishra @ Shyam Mishra Son Of Late Jitbahon Mishra @ Jeet Wahan Mishra Resident Of Village - Barheta, P.S. - Kutumba, Distt. - Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Economic offence Unit, Bihar, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 19-09-2023 Heard learned counsel for the petitioner, learned counsel for the N.C.B. and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8/20(b) (ii) (c), 25 and 29 of the NDPS Act.

As per FIR, the petitioner along with others was apprehended on the spot and upon search total 26 kg ganja was recovered from a car bearing Reg. No. HR51AD/9075.

Learned counsel for the petitioners submit that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery and the vehicle in



question does not belong to him. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 14.09.2022.

Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that the recovery of ganja from the car is alleged to be 26 kg which is much more than commercial quantity as per N.D.P.S. Act. The petitioner has also been apprehended on spot with the alleged ganja like substance.

Having heard the learned counsel for the parties and considering the fact and gravity of the offence, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

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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