

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33891 of 2023

Arising Out of PS. Case No.-265 Year-2023 Thana- FORBESGANJ District- Araria

Mitendra Kumar Bharti Son Of Jagdish Sah Resident Of Village - Teri
Mushahari, Ward No. 06, P.S. - Forbesganj, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 10-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Forbesganj P.S. Case No. 265 of 2023 instituted for the
offence under Sections 20 and 22 of the NDPS Act.

Prosecution case in short is that the police got
information that Bolero Pick-Up bearing Reg. No. BR-11GD-
2192 is indulged in trading of the contraband narcotics like
substance and the same is going to pass through Forbesganj
Road and driver of the said vehicle and one person sitting
tried to flee but were apprehended and on being asked they
disclosed their name as Md. Israel(driver) and another person
told his name as Mitendra Kumar Bharti(petitioner).



Thereafter the police team started checking the vehicle and upon search total 29400 pieces of Tramadol tablets were recovered, each tablet containing 50 mg thereafter the total weight of the seized articles is weighing about 1470 grams.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this present case. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in custody since 29.03.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in the FIR and he along with co-accused person was apprehended on the spot and this petitioner is also the owner of the seized vehicle. It is submitted that the recovered seized material is more than commercial quantity as the commercial quantity of the said incriminating article (Tramadol tablets) is 250 grams whereas the recovery is much more than commercial quantity as per NDPS Act.

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.



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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