

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36368 of 2023

Arising Out of PS. Case No.-66 Year-2022 Thana- FULKAHA District- Araria

Umesh Yadav Son Of Ramrup Yadav Resident Of Village- Achra, Ward No. 05, Ps- Fulkaha, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with Fulkaha P.S. Case No. 66 of 2022 instituted for the offence under Sections 8(C), 20(b)(ii)(C), 29 of the N.D.P.S. Act.

As per allegation in the FIR, when the police party were on patrolling duty, they arrested two accused persons including the petitioner from whose possession total 102 kg ganja like narcotic substance was recovered. Accordingly, the present case has been lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case on the basis of suspicion. Nothing has been recovered from conscious possession of the petitioner. It is also submitted that the provision of N.D.P.S. Act has not



been followed properly by the prosecution. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. Moreover, the petitioner is languishing in judicial custody since 19.6.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner was apprehended on spot with the alleged recovery of ganja weighing about 102 kg which comes under purview of commercial quantity. From perusal of F.S.L. report which is annexed with the case dairy, it shows Tetra Hydro Cannabinol (THC) is detected which is chief intoxicating ingredient of Ganja.

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)

Amandeep/-

U		T	
---	--	---	--

