

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48005 of 2023

Arising Out of PS. Case No.-104 Year-2023 Thana- NARPATGANJ District- Araria

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1. Sangam Magarl @ Sangam Magar @ Sangam Mogal Son Of Ram Bahadur Magar Resident Of Village - Barah Kashitra, P.S. - Chakraghati, Distt. - Sunsari (Bhojpur), Nepal
 2. Saroj Shiva @ Saroj Son Of Hasta Manshiva @ Hasta Manishwa Resident Of Village - Bhojpur, P.S. - Hasanpur, Distt. - Bhojpur, Nepal
- Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 11-10-2023

1. Heard learned counsel for the parties.

2. The petitioners have filed the instant application for grant of regular bail in connection with Narpatganj (Basmatiya) P.S. Case no. 104 of 2023 registered under sections 21(c), 22 and 23 of the N.D.P.S. Act.

3. As per the prosecution case, on search being conducted 14.6 kg of contraband substance was recovered from the possession of the petitioners. On testing with the kit it was found to be positive for Marijuana.

4. It is submitted by learned counsel for the petitioners that the allegation as levelled in the F.I.R. are false and concocted. No incriminating article has been recovered



from their possession. There is violation of Section 50 of N.D.P.S. Act. The petitioners have no criminal antecedent and are in custody since 25.2.2023. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation and the FIR according to which the petitioners have been caught red handed and 14.6 kg of Marijuana was recovered from their possession, the Court is not inclined to enlarge the petitioners on bail and their application is rejected.

(Partha Sarthy, J)

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