

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45590 of 2022

Arising Out of PS. Case No.-30 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

1. Dhiraj Kumar Son Of Luxman Prasad R/O Village- Harnath Kundi, P.S.- Gajrajganj, District- Bhojpur
2. Nakul Kumar Son Of Luxman Prasad R/O Village- Harnath Kundi, P.S.- Gajrajganj, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 53800 of 2022

Arising Out of PS. Case No.-30 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

Satendra Yadav Prabhunath Yadav Resident Of Village - Dumaria, P.S. Sahpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 45590 of 2022)

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.Choubey Jawahar

(In CRIMINAL MISCELLANEOUS No. 53800 of 2022)

For the Petitioner/s : Mr.Ranjay Kumar Patel

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

12 14-09-2023 Heard learned counsel for the petitioners and

learned A.P.P appearing on behalf of the State.

The petitioners are languishing in custody in a

case registered for the offences punishable under



Sections 8 (c) 20(b)(ii)(c), 29, 27(A) of the N.D.P.S. Act.

There is recovery of 666.34 Kgs of *Ganja* from a vehicle and six persons including the petitioners were arrested.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. There is no recovery from the conscious possession of the petitioners rather the recovery has been made from a vehicle which was lying in the premises of the hotel. The petitioners have no concern with the seized *Ganja* and they have been apprehended only on the basis of suspicion. The petitioners are languishing in custody since 19.02.2022.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners and submitted that petitioners were apprehended from the spot and they have confessed their guilt as recorded in para 19 of the case diary and



stated that they are members of a inter-stage gang which operates its activity by supplying *Ganja* in wholesale. Moreover the recovered contraband comes within the purview of commercial quantity. The police during investigation has also found the involvement of the petitioners in selling of *Ganja*.

Considering the facts aforesaid, this Court is not inclined to grant bail to the petitioners.

The prayer for grant of bail to the petitioners stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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