

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50202 of 2023**

Arising Out of PS. Case No.-04 Year-2022 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Bhojpur

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VINODH DHANUK SON OF SH. KISHUN DHANUK R/O-SHAHPUR,
P.S.-SHAHPUR, WARD NO. 10, DISTT.-BHOJPUR (ARA), BIHAR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. NARCOTICS CONTROL BUREAU THROUGH THE INTELLIGENCE
OFFICER ZONAL UNIT, PATNA, BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Singh, Adv.
For the State	:	Mr. Kumar Veerendra Narayan, APP
For the N.C.B.	:	Mr. Awadhesh Kumar Pandey, Sr. C.G.C with Mr. Rakesh Kumar Sinha, C.G.C. and Mr. Lokesh, Adv.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 11-12-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the U.O.I.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 8(c), 21(c), 25, 28, 29 and 35 of the
N.D.P.S. Act.

3. It is case of recovery of 380 Gm of *Heroine*/smack
like substance from the cow shed of the petitioner.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that as alleged *Heroine/smack* was recovered from the possession of the petitioner but from the seizure list, it has not mention that alleged narcotics substance was recovered from the possession of the petitioner. Petitioner is languishing in judicial custody since 18.10.2022.

5. Learned APP for the State and learned counsel on behalf of the N.C.B. have opposed the application for bail and submitted that petitioner is named in the FIR and has been apprehended on spot. The petitioner has been made accused in several cases. He further submitted that the seized *Heroine/smack* like substance from the possession of the petitioner comes within the purview of commercial quantity as per N.D.P.S. Act. During investigation several witnesses have also supported the prosecution case. From the perusal of the trial Court report, it appears that the case is pending for adducing the prosecution evidence.

6. 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.

7. The trial Court is directed to conclude the trial within



nine months, failing which the petitioner will be at liberty to renew
his prayer for bail.

(Sunil Kumar Panwar, J)

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