

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47867 of 2022

Arising Out of PS. Case No.-99 Year-2022 Thana- BHAGWANPUR District- Vaishali

CHANDAN KUMAR S/O LATE NAGENDRA SAH Resident of village-
Rampur Ashurar, P.S.- Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

10 19-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed by the petitioner in connection with NDPS Case No. 15 of 2022 arising out of Bhagwanpur P.S. Case No. 99 of 2022 instituted for the offence punishable under Sections 8/20(b)(ii)(c),23,24,25 of the NDPS Act.

As per allegation in the FIR, petitioner is engaged in the business of Ganja. On getting secret information, police party proceeded towards the house of the petitioner and a raid was conducted. On search, 79.800 kilogram ganja like substance was recovered from his asbestos sheet house and petitioner was arrested after chase.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has been falsely implicated in this case. The alleged recovery has been made from the joint house of the petitioner. There is complete violation of Section 100 Cr.P.C. as seizure list witnesses are police personal. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 21.04.2022.

Learned APP appearing for the State has opposed the prayer of bail and submitted that the quantity of alleged recovery is more than the commercial quantity.

Having heard learned counsel for the parties and taking into consideration that the alleged house belongs to the petitioner, from where recovery of ganja like substance has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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