

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50767 of 2023

Arising Out of PS. Case No.-341 Year-2022 Thana- NADI P.S. District- Patna

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Birendra Rai Son Of Ramji Rai R/O-Kripal Tola, P.S.-NADI, Distt.-PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr.Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 13-10-2023 Heard learned counsel for the petitioner and

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

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 8, 20, 22, 29 of the N.D.P.S. Act.

There is recovery of 363.50 Kgs of Ganja from

a truck and three accused persons including the

petitioner were arrested.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely



been implicated in this case. The petitioner was arrested by the police on mere suspicion as the petitioner was only the passenger on the alleged truck and he was not aware about the narcotic substance being carried on the truck. It is further submitted that seizure and search is in complete violation of Section 100 of the Cr.P.C and the seizure list witnesses are police constables who are bound to support the informant. The petitioner is languishing in custody since 07.09.2022.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that 363.50 Kgs of Ganja was recovered from the truck and petitioner was arrested from the spot.

Considering the quantity of recovery of narcotic substance, this Court is not inclined to grant bail to the petitioner for the present. The prayer for grant of bail to the petitioner 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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