

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51416 of 2022

Arising Out of PS. Case No.-570 Year-2019 Thana- BARACHATTI District- Gaya

Bal Bant Ram Son of Manjeet Ram @ Majita Ram, Resident of Malunga,
P.S.- Malanaya, District- Jodhpur, Rajsthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 03-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Barachatti P.S. Case No. 570 of 2019, dated 25.11.2019
registered for the offences punishable under Sections 20/22 of
N.D.P.S. Act.

As per the prosecution, police personnel while vehicle
checking seized the alleged vehicle, apprehended this petitioner
and upon search recovered 1538 Kg narcotic material namely
Doda, iron plates weighing 25.01 metric tonnes and a cash of
Rs. 32,500/- from the seized vehicle.

The main submissions advanced by the learned
counsel for the petitioner are that the petitioner has got clean
antecedent and has been languishing in jail since 26.11.2019 and



mandatory provisions of the NDPS Act were not complied with while seizing the alleged contraband.

Learned APP appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR as well as the seizure memo attached to the FIR. The instant matter relates to the recovery of 1538 Kg. of narcotic material and the alleged contraband being narcotic material has been confirmed by the F.S.L. report, the petitioner's trial is at advance stage and as per the report of trial court out of five prosecution witnesses, four have been examined.

Considering the facts mentioned above, in the opinion of this court, petitioner does not deserve to the privilege of bail at this stage. Accordingly, his bail prayer stands rejected.

(Shailendra Singh, J)

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