

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51660 of 2022

Arising Out of PS. Case No.-159 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

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SULEHUK @ MD. TANVEER ALAM Son of Bare @ Naseem Resident of -
Vyaparitola Fatehpur, P.S- Industrial Area, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

13 29-11-2023 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner has prayed for bail in connection
with Bhagalpur Industrial P.S. Case No. 159 of 2021 instituted
for the offence under Sections 20(b)(ii)(c), 23(c) & 22 of the
N.D.P.S. Act.

3. According to the prosecution case, it is a case of
recovery of Ganja like contraband substance i.e. 23.5 kg from
house of this petitioner who was apprehended on spot.
Thereafter, seizure list was prepared.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely
been implicated in this case. The petitioner has no concern with



the alleged recovery of *ganja* like contraband substance. It is further submitted that the provision of N.D.P.S. Act has not been followed properly. Moreover, the petitioner has got no criminal antecedent and he is languishing in judicial custody since 3.12.2021.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner was apprehended on spot from whose house, *ganja* like narcotic substance was recovered which is said to be 23.5 kg and the same comes within purview of commercial quantity. It is also submitted that witnesses of this case have also supported the prosecution.

6. In pursuance to the direction of this Court, a report dt. 12.9.2023 with regard to present stage of trial has been received by which, it appears that out of seven prosecution witnesses, two prosecution witnesses have been examined and the trial is likely to be concluded within a period of six months.

7. Having heard the learned counsel for the parties and considering the commercial quantity of seized *ganja*, 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 expedite the trial and



conclude the same within a period of six months, failing which,
the petitioner may renew his prayer of bail.

(Sunil Kumar Panwar, J)

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