

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55343 of 2023

Arising Out of PS. Case No.-221 Year-2023 Thana- BIDUPUR District- Vaishali

Rajendra Rai @ Rajendra Singh S/O - Late Devi Rai R/O Village -
Daudnagar, P.S. - Bidupur Dist- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 20-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Bidupur P.S. Case No. 221 of 2023 instituted for the offence under Sections 20(b)(ii)(B), 23(c) & 27(b) of the N.D.P.S. Act and sections 25(1-b)a of the Arms Act.

3. As per F.I.R., the petitioner is alleged to have apprehended by the police and total 27.925 kg ganja like contraband substance was recovered from house & *Bathan* of the petitioner.

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 as stated in para-3 of the bail petition and he is languishing in judicial custody since 7.4.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner was apprehended on spot from his house & *Bathan*, Ganja like narcotic substance was recovered which is said to be 27.925 kg and the same comes within purview of commercial quantity as per the NDPS Act. According to F.S.L. report, it appears that Ganja is detected containing Tetrahydrocannabinol (T.H.C.) as their chief intoxicating ingredient. It is also submitted that witnesses of this case have also supported the prosecution.

6. Having heard the learned counsel for the parties and considering the fact that the seized Ganja is more than commercial quantity, 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 one year, failing which, the petitioner may renew his prayer for bail.

(Sunil Kumar Panwar, J)

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