

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57729 of 2022

Arising Out of PS. Case No.-17 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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GANESH YADAV Son of Mahendra Yadav Resident of Village - R/o-
Betaunha, Police Station - Jaynagar, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah
For the Opposite Party/s : Mr. Madhura Nand Jha

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 27-02-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with G.R
(N.C.B)No. 17 of 2022, registered for the offences
punishable under Sections 21 (C), 22(c), 25 and 29 of the
N.D.P.S Act, 1985.

As per allegation, DIALEX DC-225 bottles,
Codiwell-190 bottles (Codeine based Cough Syrup) and
Nitratvet-10- 300 Tablets were recovered from the petitioner.

Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that search and seizure has not



been made as per the rules as provided under N.D.P.S. Act. He also submits that petitioner has no knowledge regarding the said seized material. Hence, no case is made out against the petitioner. He further submits that investigation in this case is complete and charge-sheet has already been submitted.

He further submits that the petitioner has been languishing in jail since 24.06.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, particularly the commercial quantity of the contraband, I am not persuaded to enlarge the petitioner on bail at this stage.

The petition is accordingly rejected.

However, Ld. Trial Court is directed to expedite



the trial. In case, the trial is not concluded within a period of one year, the petitioner is at liberty to renew his prayer for bail.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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