

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65115 of 2023

Arising Out of PS. Case No.-366 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Lakhan Singh @ Lakhan Mehta Son Of Late Shiv Singh Resident Of Mohalla
- Bauliya Road, Jagdeo Nagar, Police Station - Sasaram (T), District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh
For the Opposite Party/s : Mrs. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Sasaram Town P.S. Case No. 366 of 2023 instituted for the offence under Sections 20(b), 22(c) & 29 of the N.D.P.S. Act.

3. Prosecution case relates to recovery of 160 kilogram Ganja like substance from Scorpio of co-accused Pintu Singh and 280 kilogram Ganja like substance from the joint house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. The petitioner has no concern with the alleged recovery of *ganja* like substance, which is recovered from the roof of the co-accused Pintu Singh. Petitioner has only been implicated in this case



only because he is full brother of co-accused Pintu Singh. Nothing has been recovered from conscious possession of the petitioner. He is living separately from his brother Pintu Singh. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner has got no criminal history and he is languishing in judicial custody since 8.5.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner was apprehended on spot. The recovered 440 kilogram *Ganja* like narcotic substance comes within purview of commercial quantity.

6. Having heard the learned counsel for the parties and considering the commercial quantity of the contraband substance, 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 as soon as possible.

(Sunil Kumar Panwar, J)

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