

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68064 of 2023

Arising Out of PS. Case No.-472 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

Jagdish Meghawal, Son of Sultan Meghawal Resident of Village - Desoriya,
Police Station - Garot, District - Mandsaur (M.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Udwant Nagar P.S. Case No. 472 of 2022, lodged on 09.10.2022
under Sections 8(c) & 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, the FIR has been
lodged against 3 named accused persons including the present
petitioner and it has been alleged that in the FIR, the total
recovery of 400 grams narcotic material “heroin” has been
recovered from the shoes of one Vijay Kumar Singh. The said
shoes were worn by Vijay Kumar Singh in which alleged heroin
was recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He also



submits that the antecedent of the petitioner is clean and he is custody since 10.10.2022. He further submits that nothing was recovered from the counsels possession of the petitioner and as per the seizure list, the said recovery has been made from the shoes which were worn by Vijay Kumar Singh.

5. Learned APP for the State vehemently opposes the prayer for bail of the petitioner and submits that from the seizure list, it transpires that the recovery has been made from the shoes, but in the FIR, it is also clearly stated by Vijay Kumar Singh that his shoes have specially designed and brought by the present petitioner and after reaching Ara town, they have exchanged their shoes and both petitioner and the other accused have accepted the same. He further submits that 400 grams heroin is much more than the commercial quantity and as per the FIR, there is a direct involvement of the petitioner in commission of the crime.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Udwant Nagar, P.S. Case No. 472 of 2022, pending before the learned District Judge-cum-Special Judge, N.D.P.S. Act, Bhojpur, Ara is hereby rejected.



8. However, the petitioner shall move for regular bail after one year of framing of charge when the Trial Court shall release him on bail imposing its own conditions so that he may not evade his appearance during trial.

9. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J.)

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