

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73992 of 2022

Arising Out of PS. Case No.-893 Year-2022 Thana- ARARIA District- Araria

PHOOL MAMUD MIYAN S/o Paneeruddin R/o- Barafalimari, P.S.-
Dinhatta, District- Kach Bihar (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Araria P.S. Case No. 893 of 2022 instituted for the offence
under Sections 20/22 of the N.D.P.S. Act.

As per allegation in the FIR, while the informant
along with police officials were on duty of vehicle checking,
stop a vehicle bearing registration no. WB02AL-3677 and
arrested the petitioner. Upon search, total 214.5 kg of
contraband Ganja recovered from the said vehicle.

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 contraband substance like Ganja or with the vehicle in
question. A statement has been made in para-3 of the petition



that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 22.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is indulged in business of contraband substance and on the alleged date of occurrence, huge quantity of Ganja i.e 214.5 kg was recovered which is much more than commercial quantity. The petitioner was arrested on stop with the seized vehicle from where the recovery of Ganja has been made. As per F.S.L. Report, Tetra Hydro Cannabinol (T.H.C) was found in the seized contraband substance which is chief intoxicating ingredient of Ganja.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

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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