

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7820 of 2023

Arising Out of PS. Case No.-373 Year-2022 Thana- BAISI District- Purnia

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RANJAN KUMAR BHARTI @Rajan Kumar Bharti S/o Krishna Kumar
Chaurasia @Krishna Kumar R/o Gram - Baisa ward no. 12, P.S.- Parbatta,
P.O.- Baisa, Distt- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kalyan Shankar
For the Opposite Party/s : Mr.Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Baisi P.S. Case No. 373 of 2022 instituted for the offence under
sections 8(c), 20(b)(ii)(c)/25 of the N.D.P.S. Act.

According to the FIR, prosecution case relates to
recovery of incriminating Ganja i.e. 43.095 kg from a Tata
Indigo Vehicle bearing Registration no. WB-06G-3969 and the
petitioner was apprehended on spot who is said to have indulged
in illegal business of narcotic substance.

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 incriminating ganja or with the vehicle in question.



It is further submitted that mandatory provision of section 50 of the N.D.P.S Act has not been followed in this case. Moreover, the petitioner is languishing in judicial custody since 22.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner was arrested on spot with the vehicle from where the incriminating ganja was recovered. The recovery of ganja is alleged to be 43.09 kg which comes under purview of commercial quantity. It is further submitted that witnesses of this case also supported the prosecution.

Having heard the learned counsel for the parties and considering the fact that the recovery ganja is much more than commercial quantity, 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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