

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14132 of 2024

Arising Out of PS. Case No.-78 Year-2023 Thana- BELA District- Sitamarhi

Navijan @ Farookh @ Nebijan S/o Late Yunus R/o Vill - Chandi Rajwara,
P.S. - Bela, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bela P.S. Case No. 78 of 2023, lodged on 18.03.2023 under
Sections 20(b), (ii)(c)/ 22(c), 23(c) of the N.D.P.S. Act

3. As per the prosecution case, the FIR was lodged
against the present petitioner. Total 1 Kg 18 grams of *Charas*
has been recovered from the house of the petitioner which is the
subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the petitioner's name has figured in this case only
due to the reason that his antecedent is not clean and there are
six criminal cases pending against him. In four cases he is on



bail and in rest two cases he is persuading for bail. He is in custody since 20.03.2023

5. Learned APP for the State opposes the prayer for bail and submits that the case diary has been called for along with FSL report. FSL report indicates that the recovered material is *Charas* and commercial quantity of *Charas* is 1 Kg but the recovery is more than 1 Kg. Counsel further submits that the said recovery, according to the case dairy, has been made from the hut of the petitioner and it was weighed on digital machine as mentioned in paragraph nos. 28 and 29 of the case diary.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner. Accordingly, the prayer for regular bail of the petitioner in connection with Bela P.S. Case No. 78 of 2023, pending before the learned Special Judge, Sitamarhi, District- Sitamarhi is **hereby rejected**.

(Dr. Anshuman, J)

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