

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14627 of 2024

Arising Out of PS. Case No.-270 Year-2023 Thana- GAIGHAT District- Muzaffarpur

Deepak Kumar S/o Sunil Rai R/o vill - Ramai Tole, P.S. - Chakmehsi, Distt. -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with N.D.P.S. Case no.166 of 2023 (arising out of Gaighat P.S. Case no.270 of 2023) registered under section 414 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and sections 8 and 20(b) (ii)(B) of the N.D.P.S. Act.

3. As per the prosecution case, the informant states that seeing the police personnel, the accused persons made an attempt to escape but the three accused including the petitioner herein were caught. On search, a mobile phone was recovered from the possession of the petitioner and 5.2 kgs of ganja was recovered from the motorcycle.

4. Learned counsel for the petitioner submits that no



incriminating article has been recovered from the petitioner's possession who has been falsely implicated in the case because of his antecedents. He is in custody since 12.7.2023 and undertakes to cooperate in the case.

5. The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner was also on the motorcycle on which 5.2 kgs of ganja has been recovered and the same is more than small quantity though less than commercial quantity.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R. and 5.2 kgs of ganja having been recovered from the motorcycle in question, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

8. Liberty is granted to the petitioner to renew his prayer for bail after four months or on framing of charge, whichever is later.

(Partha Sarthy, J)

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