

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17139 of 2023

Arising Out of PS. Case No.-430 Year-2022 Thana- BAISI District- Purnia

Aman Kumar Son Of Arun Patel Resident Of Ward No.- 6, P.S.- Ganga Bridge, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 30-01-2024 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. 430 of 2022 instituted for the offence under
Sections 8, 20, (b)(ii)(c) and 25 of the NDPS Act.

Prosecution case relates to recovery of 28.881
kilograms of Ganja like intoxicating substance from a Santro car
bearing Reg. No. AS-01AN/6973.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case.
Petitioner has no concern with the seized ganja like substance
and also nothing has been recovered from his conscious
possession. He has no knowledge about the illegal goods kept in
the vehicle. It is further submitted from para-10 of this petition



that during search, the mandatory provisions of Section 50 of the NDPS Act has not been followed in this case. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 02.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in FIR and he was arrested by the police with the said ganja on spot. The recovered ganja comes under the purview of commercial quantity as per NDPS Act. During investigation, witness supported the prosecution case. From perusal of the FSL report in which it shows that ganja like substance has been detected in the result of examination.

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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