

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26310 of 2024

Arising Out of PS. Case No.-114 Year-2024 Thana- Excise P.S. District- Muzaffarpur

1. Vikash Kumar Son of Bhajju Singh Resident of Village- Mahamadpur Balmi, P.S.- Motipur, District- Muzaffarpur
2. Arpan Raj @ Anupam Raj Son of Nagendra Sahani Resident of Village- Mahamadpur Balmi, P.S.- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 09-04-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioners seek bail in connection with Excise P.S. Case no.114 of 2024 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 10 Kg. of Ganja from the possession of the petitioners.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners have falsely been implicated in the present case. It is submitted that no offence under Excise Act is made out against this petitioner. It is also submitted that recovered quantity of Ganja is much less than



commercial quantity. It is further submitted that petitioners are men of clean antecedent and they are in custody since 21.01.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioners.

6. In view of the submissions and allegations, as made above, as it appears from seizure list that the recovered quantity of Ganja i.e. 10 Kg. is more than small quantity and less than commercial quantity and the same was recovered from the conscious physical possession of these petitioners, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, the prayer of bail of the petitioners is rejected herewith.

8. Learned trial court is directed to conclude the trial within a period of 06 (six) months from the date of receipt of a copy of this order and if the trial could not be concluded within specified period, the petitioners would be at liberty to renew the prayer for bail of the petitioners.

(Ramesh Chand Malviya, J)

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