

Arising Out of PS. Case No.-673 Year-2023 Thana- TURKAULIYA District- East
Champanan

Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Karandeep Kumar
For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-07-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Turkauliya (Banjariya) P.S. Case No.673 of 2023 registered for the offence under Sections 8, 20(b)(ii)(C), 23 and 25 of the NDPS Act.

3. Allegation against the petitioner is to have in possession of total 60 kgs. *Ganja*.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that the



contraband i.e. *Ganja* has not recovered from the possession of this petitioner rather the alleged contraband has been recovered from an abundant place, which is accessible to general public. It is submitted that there is violation of Section 50 of NDPS Act as regard to search and seizure of alleged contraband. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 11.06.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner and submitted that the alleged contraband has been recovered from the house of the petitioner.

6. In view of the submissions, as made above and this a case of second attempt for grant of bail, where, bail application was rejected by this Court vide order dated 29.02.2024 in Cr. Misc. No.75839 of 2023 and the present application has been filed on the ground of custody period, where, it appears from perusal of FIR that total 60 kgs. of *Ganja* has been recovered from the house of the petitioner, this Court is not inclined to grant bail to the petitioner, at present.

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

8. Learned trial court is directed to conclude the



trial of the case expeditiously.

(Ramesh Chand Malviya, J)

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