

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45058 of 2024

Arising Out of PS. Case No.-820 Year-2023 Thana- KADAMKUAN District- Patna

Ganesh Kumar Son Of Late Shiv Gop Mohallah- Kazipur, Road no. 1, P.S.-
Kadamkuan, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-10-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Kadamkuan P.S. Case No.820/2023, registered for the offence
punishable under Sections 8/20(B), (ii)A/22© of N.D.P.S. Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 17.04.2024 and the informant alleges that on 26.11.2023,
he along with police force were on patrolling duty, when they
received an information that sons of Late Shiv Gop are selling
ganja, intoxicated injections etc., accordingly, he reached the
place of occurrence when the accused persons fled on seeing the
police but the police surrounded the area, in presence of the
Circle Officer, who also reached the place of occurrence and the



house was searched when Chotu was apprehended and from the house, 495 grams of ganja along with 350 pieces of Pheniramine Maleate Injection I.P. Avil and 415 pieces of Buprenorphine Injection I.P. Legesic were disclosed and Chotu disclosed that the contraband were brought by his elder brother (petitioner).

4. The learned counsel submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that even presuming what has been alleged is true without admitting then petitioner was not apprehended from the spot and his name transpired in the confessional statement of Chotu in police custody, which does not have any evidentiary value.

5. Learned A.P.P. Mr. Chandra Bhushan Prasad opposes the prayer for bail of the petitioner and submits that no doubt the petitioner was apprehended from the spot but then the narcotics were recovered from his house and his name transpired based on the confessional statement of his own younger brother, who disclosed that the contraband were brought by the petitioner for the purposes of selling. It is next submitted that such offences have increased and young generation is using such injection and ganja in absence of liquor.



6. Considering the submissions made by the learned APP, the Court is not inclined to release the petitioner on bail.

7. Accordingly, the regular bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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