

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 49289 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- NARPATGANJ District- Araria

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Mohammad Salamuddin @ Md. Salamudin Son of Abdul Jalil Resident of
Vill- Bairia Arazi, Ward No. 8, P.S.- Birpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Naushaduzzoha, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 22-07-2024 Heard learned counsel for the petitioner and learned
APP for the State

2. The petitioner is in custody in a case registered for
the offence punishable under Sections 21(c) 22 and 23 of the
NDPS Act.

3. As per allegation in the FIR, it is a case of recovery
of 100 Kg. of ganja in four sacks from the conscious possession
of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that he was arrested on the basis of mere suspicion and
there is no compliance of Section 50 of the NDPS Act and
Section 100 of the Cr.P.C. He next submits that petitioner has



got clean antecedent as stated in para-3 of the petition and he is in custody since 13.01.2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the first information report and impugned order dated 18.05.2024, it appears that 100 Kg. of ganja was recovered from the conscious possession of the petitioner and the said recovery is of more than commercial quantity and the case of the prosecution have been supported by the witnesses, considering which, I am not inclined to grant bail to the petitioner.

7. Prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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