

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54608 of 2023

Arising Out of PS. Case No.-562 Year-2021 Thana- BIDUPUR District- Vaishali

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Brajnath @ Bhushan @ Brajnath Kumar @ Brijnath Son Of Late Shivnandan
Rai @ Shivnandan Singh R/O-Bhairopur, P.S.-BIDUPUR, Distt.-VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Madhura Nand Jha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Bidupur P.S. Case No. 562 of 2021 instituted for the offence
under Sections 20(b) (ii) (c), 23(c), 27(A) and 29 of the N.D.P.S.
Act.

Prosecution case relates to recovery of total 69 kg of
ganja like intoxicating substance from the ancestral house of the
petitioner.

It is submitted by learned counsel for the petitioner that
petitioner has been falsely implicated in this present case.
Nothing has been recovered from the conscious possession of the
petitioner. 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 02.02.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in FIR and the recovery of 69 kg of ganja like substance from the house of the petitioner which is more than commercial quantity as per NDPS Act. From perusal of the FSL Report, it appears that the Ganja containing Tetrahydrocannabinol (T.H.C.) has been detected.

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.

From perusal of the trial Court report dated 18.12.2023 in which it is mentioned that the trial will be concluded within six months.

The trial court is directed to expedite the trial and conclude the same within stipulated period of time as mentioned in its report failing which, the petitioner will be at liberty to renew his prayer for bail application.

(Sunil Kumar Panwar, J)

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