

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66082 of 2023

Arising Out of PS. Case No.-173 Year-2023 Thana- AHYAPUR District- Muzaffarpur

Chandan Vishwas S/O Upen Vishwas R/O Village- Bawan Hat-2, P.S-
Sahebganj, Distt.- Kuch Bihar (W.B).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Suman

For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Ahiyapur P.S. Case No. 173 of 2023 instituted for the offence under Sections 8 & 20(b)(ii)(c) of NDPS Act.

3. As per allegation in the FIR, during patrollingh duty, police intercepted a XUV-500 car and three persons sitting inside include the petitioner were arrested and their phone were seized. On search, 1 quintal 63 kilogran and 295 gram ganja like substance was recovered from the car.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery of *Ganja* like contraband substance or with



the vehicle. He was simply a passer by and police has made him scape goat by implicated him in the present case. As per para-3 of the petition, he has got no criminal antecedent and languishing in judicial custody since 4.2.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner was apprehended on spot from whose possession, **Gaja** like narcotic substance was recovered which is said to be 1 quintal 64 kilogram and 295 gram and the same is huge quantity and comes beyond the commercial quantity.

6. Having heard the learned counsel for the parties and considering the huge quantity of recovery which is beyond the commercial quantity, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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