

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55021 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- KURSAKANTA District- Araria

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Suman Kumar Paswan S/O Birendar Paswan R/O Village- Tira, P.S- Sikty,
Distt.- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 18-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 20 and 22 of the N.D.P.S. Act.

As per prosecution case, two persons including the petitioner were apprehended on the spot and upon their search total 60 kg incriminating ganja and a mobile phone were recovered. Accordingly, this case has been lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery of ganja like narcotic substance. The provision of N.D.P.S. Act has not been followed



properly in this case. He has got no criminal antecedent as stated in para-3 of the bail petition. It is also submitted that signature of the petitioner is not available on the seizure list. Petitioner is languishing in judicial custody since 14.03.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that petitioner is named in the F.I.R. and he was also apprehended on the spot along with another co-accused with huge quantity of incriminating ganja. The alleged recovery of 60 kg incriminating ganja is much more than commercial quantity as per the N.D.P.S. Act. Further, seizure list witnesses have also supported the prosecution case.

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.

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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