

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62413 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- Excise P.S. District- Supaul

Ram Pravesh Kumar Son of Chandeshwari Yadav Resident of Village -
Belokhara, Ward No.3, P.S. - Pipara, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 03-12-2024 In this case, despite repeated call, no one appears on behalf of the petitioner though, Mr. Bharat Bhushan learned APP, for the State is present.

2. It seems that having filed the petition and knowing its fate, the learned counsel for the petitioner has chosen not to appear.

3. The petitioner is in custody in connection with Supaul Excise P.S. Case No. 69 of 2024 for the offence under Sections 8, 20(b) and 20(ii)(c) of the NDPS Act lodged on 22.03.2024 by the informant, Shri Rakesh Kumar.

4. As per the prosecution story, the informant alleged that a white colour car was intercepted and there is recovery/seizure of 92 kg ganja from its pocket. Ram Pravesh Kumar (petitioner herein) and Harsh Kumar Mehta were



arrested.

5. As per the petition, Harsh Kumar Mehta has confessed to the crime and as such, the case of the petitioner is that since Harsh Kumar Mehta has confessed to the crime, he be released on bail.

6. Learned APP on the other hand opposes the prayer submitting that 20 kg is the commercial quantity under the NDPS Act whereas the recovery/seizure in the present case is 92 kg which is much more than the commercial quantity. The petitioner has been arrested on the spot and only because Harsh Kumar Mehta has confessed to the crime, he cannot be considered differently.

7. Having gone through the facts of the case as also the materials on record and considering the seizure that has come which is 92 Kg ganja, no relief can be granted to the petitioner.

8. The present bail application stands rejected.

(Rajiv Roy, J)

Adnan/-

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