

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58645 of 2023

Arising Out of PS. Case No.-215 Year-2022 Thana- INDUSTRIAL District- Bhagalpur

Chandan Kumar Son Of Raj Kumar Yadav Resident Of Village- Rahimpur
Mathar P.S.- Muffassil District -Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. along with Mr. Diwakar Upadhyaya with Ms. Preety Kunwar, Advocates
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 10-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted for the offence under Sections 20(b)(ii)(c) and 22 of the N.D.P.S. Act.

3. It is case of recovery of 60 Kg of *Ganja* like substance from the possession of the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that petitioner was travelling in a passenger bus, which was occupied by several different passengers. The provision of Section 50 of the N.D.P.S. Act has not been followed in this case. Petitioner is languishing



in judicial custody since 30.10.2022.

5. Learned APP for the State has opposed the application for bail and submitted that petitioner is named in the FIR and he has been made accused in one more case. He further submitted that the seized *Ganja* like substance from the possession of the petitioner comes within the purview of commercial quantity as per N.D.P.S. Act. During investigation several witnesses have also supported the prosecution case.

6. 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.

7. The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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