

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63627 of 2023

Arising Out of PS. Case No.-461 Year-2022 Thana- SONBERSA District- Sitamarhi

1. SUNIL PATEL Son of Raghunath Patel R/o vill - Patel Nagar, ward no. 7, P.O. and P.S. - Sonbarsa, Distt. - Sitamarhi
2. Gani Lal Kumar Son of Raj Kumar Ray @ Raj Kumar R/o vill and P.O. - Sonbarsa, P.S. - Sonbarsa, ward no. 5, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 29-02-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Sonbarsa P.S. Case no. 461 of 2022 registered under sections 8, 20(b)(ii)(c) and 22 of the NDPS Act.

3. As per the prosecution case, the informant states that on being confronted, three accused persons threw away the goods they were carrying on their head and made an attempt to escape. The two petitioners herein were caught and a total 105 kgs of *ganja* like substance was recovered.

4. It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in



the case. No incriminating article has been recovered from their possession. Even from the contents of the FIR it is not stated as to which accused threw the goods alleged to have been seized in the form of *ganja*. The petitioners have no criminal antecedent and are in custody since 17.12.2022.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegations in the F.I.R., the two petitioners herein having been caught at the place of occurrence along with 105 kgs of narcotic substance which in the Forensic Science Laboratory report, has been confirmed to be *ganja*, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

(Partha Sarthy, J)

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