

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67929 of 2024**

Arising Out of PS. Case No.-225 Year-2024 Thana- MUFFASIL District- Aurangabad

Shailendra Singh Son of Late Shyamjit Singh Resident of Village - Karu, P.S.
- Kargahar, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh, Adv

For the Opposite Party/s : Mr.Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 01-10-2024 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The present writ petition has been filed under Section 483 and 484 of The Bhartiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the “BNSS, 2023) praying for regular bail in connection with Muffasil P.S. Case No. 225 of 2024 dated 06.07.2024 under Sections 8(c), 20(B) of the N.D.P.S. Act.

3. As per the prosecution case, F.I.R. has been lodged against three named accused persons including the present petitioner against whom there is a recovery of 12 Kg of Ganja.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the criminal antecedent of the petitioner is not clean and there is one case pending against him in which he



was convicted but on appeal his sentence has been suspended. The petitioner is in custody since 06.07.2024. He further submits that the bag was recovered from the diggy of the passenger bus and many people were boarded on that particular bus. Moreover nothing has been recovered from that bag which proves that three bags from which Ganja has been recovered belongs to the petitioner only. As such, the petitioner has falsely been implicated in this case.

5. Learned APP for the State opposes the prayer for bail and submits that the name of the petitioner has been figured by the cleaner who used to clean the bus and on his confession only petitioner was apprehended. He further submits that the quantity recovered is less than the commercial quantity but more than the smaller quantity.

6. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. As such, the bail application of the petitioner is hereby rejected with liberty that he may renew his prayer for bail after framing of charge.

(Dr. Anshuman, J)

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