

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69356 of 2024

Arising Out of PS. Case No.-93 Year-2024 Thana- SASARAM RAIL P.S. District- Gaya

Remain Ansari S/o Nizam Ansari R/o Village- Tunudang Harhar Tola, P.S.-
Pipra Tar, District- Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Rail Sasaram P.S. Case No. 93 of 2024, registered on 30.06.2024 for the alleged offences under Sections 8, 20(b)(ii)(c) of NDPS Act.

3. As per prosecution case, the petitioner was apprehended with 4.775 kg. of ganja.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from the conscious possession of the petitioner and no offence under the provisions of NDPS Act is made out against him. There is complete violation of



mandatory provision of Section 50 of NDPS Act. The witnesses of the seizure list are police personnel and there is no compliance of Section 100 Cr.P.C. There is no FSL report to show that the seized article is ganja. The petitioner is in custody since 30.06.2024 having no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner was caught red handed carrying 4.775 kg. of ganja.

6. Considering the fact that the petitioner was apprehended with 4.775 kg. of ganja, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is rejected.

(Arun Kumar Jha, J)

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