

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71603 of 2023

Arising Out of PS. Case No.-220 Year-2022 Thana- KASIMBAZAR District- Munger

BRAJESH KUMAR Son of Late Om Prakash Singh R O VILL BAIKATPUR
PS KHUSHRUPUR DIST PATNA

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Home, Narcotic Drugs Control Bureau, New Delh New Delhi
2. The State of Bihar through the Department of Narcotic Drugs Control Bureau, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur
For the Opposite Party/s : Mr.K.N. Singh(A.S.G.)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-01-2024 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 8, 20(b)(ii)(c), 25 and 29 of the
N.D.P.S. Act.

3. It is case of recovery of approx 206 Kg of *Ganja* like
substance from a Truck.

4. It is submitted by learned counsel for the petitioner
that petitioner is innocent and committed no offence. He has been
falsely implicated in this case. No incriminating article has been
recovered from the conscious possession of the petitioner. Both
the seizure list witnesses are police personnel which is complete



violation of Section 100 of Cr.P.C. Petitioner is languishing in judicial custody since 10.08.2022.

5. Learned APP for the State has opposed the application for bail and submitted that petitioner is named in the FIR and has been apprehended on spot. It is further submitted that huge quantity of *Ganja* has been recovered from the Truck. The as alleged seized *Ganja* like substance comes within the purview of commercial quantity as per N.D.P.S. Act. During investigation several witnesses have also supported the prosecution case. The bail application of other co-accused namely, Birju Kumar Arjun Saw @ Arjun Sah has already been rejected by this Court vide order dated 03.10.2023 passed in Cr. Misc. No. 19197 of 2023.

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)

lata/-

U		T	
---	--	---	--

