

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75839 of 2023

Arising Out of PS. Case No.-673 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Seikh Kamaludin Son Of Sheikh Ishamael Resident Of Village -
Mokhalishpur, P.S. - Banjaria, District - East Champaran

... .. Petitioner/s

Versus

The state of bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Ramchandra Sahni

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 29-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with

NDPS Case No. 40 of 2023 arising out of Turkauliya
(Banjariya) P.S Case No. 673 of 2023 from the Court of
learned 1st Addl. Sessions Judge-cum-Spl. Judge, East
Champaran, Motihari registered for the offences punishable
under Sections 8, 20 (b) (ii) (c), 23, 25 of NDPS Act.

3. As per allegation in the FIR, total 60 Kg ganja

was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that

petitioner has falsely been implicated in this case. Learned



counsel for the petitioner submits that no incriminating articles has been recovered from the possession of the petitioner. It is also submitted that petitioner is in judicial custody since 11.06.2023 and petitioner has got no criminal antecedent as stated in para 3 of the petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. In view of the allegation as regard to recovery of said ganja from the house of the petitioner which is more than commercial quantity and thumb impression of the petitioner is in seizure list. Moreover, witnesses has also supported the version of the FIR. This Court is not inclined to grant bail to the petitioner.

7. Hence prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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