

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85611 of 2023

Arising Out of PS. Case No.-15 Year-2022 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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Pramod Kumar Son of Late Mukhlal Gupta R/o vill - Bemua, P.S. - Suhawal,
Distt. - Ghazipur, U.P.

... .. Petitioner/s

Versus

The Union of India through Intelligence Officer Narcotics Control Bureau
(NCB), Patna BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yogendra Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Special (NDPS) Case No. 197 of 2022 arising out of NCB/PZU/V Crime no. 15 of 2022 instituted for the offence under Sections 8(c), 21(c) and 29 of the NDPS Act.

3. As per allegation in the FIR, on getting secret information about chain business of contraband item, police raided the house of Bablu Sah and apprehended the petitioner and co-accused Bablu Sah and recovery of 620 gram heroin was made from there. On interrogation, petitioner disclosed that he has just supplied it to Bablu Sah.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. He has falsely been implicated in this case. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. It is further submitted that the provision of N.D.P.S. Act has not been followed properly. Moreover, the petitioner is languishing in judicial custody since 27.02.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner was apprehended on spot. Recovery of 620 gram heroin was recovered from his possession, which is beyond the commercial quantity. It is also submitted that witnesses of this case have also supported the prosecution.

6. Having heard the learned counsel for the parties and considering the recovery of more than commercial quantity of the contraband substance, 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 expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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