

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6838 of 2024

Arising Out of PS. Case No.-325 Year-2023 Thana- AMAS District- Gaya

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Krishna Singh S/O Late Jang Bahadur Singh Village Banshi Khurd, Ps
Manatu, District Palamu Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Bhardwaj, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 418-04-20241. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner has preferred this application for
grant of regular bail in connection with Special Act Case no.
631 of 2023 arising out of Amas P.S. Case no. 325 of 2023
registered under sections 8, 20B (ii), 25 and 35 of the NDPS
Act.
3. As per the prosecution case, the informant states
that on information having been received, search was
conducted. A motorcycle and a bolero vehicle were stopped. The
petitioner who was on the motorcycle was taken into custody
and 20 kgs of poppy straw was recovered from the petitioner.



Further 5 quintals 16 kgs and 500gms of poppy straw was recovered from the seized bolero vehicle. The driver of the bolero vehicle managed to escape.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article was recovered from his possession. The alleged recovery is below the commercial quantity. The petitioner is in custody since 9.9.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State who submits that both the vehicles were travelling together and total quantity of 5 quintals 36 kgs and 500gms of poppy straw was recovered. It is further submitted that as per contents of the case diary, besides the case mentioned in the petition, the petitioner is also an accused in Manatu P.S. Case no. 7 of 2017 dated 25.2.2017 registered under sections 8B and 18 of the NDPS Act read with section 33 of the Indian Forest Act which has not been stated by the petitioner in paragraph no. 3 of the petition.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the total quantity of 5 quintals 36 kg and 500gms of poppy straw having



been recovered from the two vehicles of which 20 kgs of poppy
staw was recovered from the motorcycle of the petitioner and
the petitioner was taken into custody as also the petitioner
having suppressed his antecedent under the NDPS Act, the
Court is not inclined to enlarge the petitioner on bail and the
application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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