

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56413 of 2024

Arising Out of PS. Case No.-722 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Mohammad Imran Son Of Mohammad Islam Resident Of Village- Belhi,
P.O.- Rauta, P.S.- Kumarkhand, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL JUDGMENT

Date : 16-06-2025

1. Heard learned counsel appearing on behalf
of the parties.

2. The present petition is being filed on behalf
of the petitioner for quashing of FIR dated 12.10.2023 in
Saharsa Sadar P.S. Case No. 722 of 2023 registered for
the offences punishable under Section 30(a) of the Bihar
Excise and Prohibition(Amendment) Act, 2022 and 46/47
of the Jail Manual Act, 1894.

3. Learned counsel for the petitioner
submitted that the seizure list which is the part of the FIR



is not supported by CCTV footage. It is submitted that after checking on person, petitioner allowed to entered into the jail premises, where he works as data entry operator and therefore, false implication out of ulterior and oblique motive cannot be denied. It is submitted that FIR was not lodged under provision of NDPS Act.

4. Learned APP appearing on behalf of the State submitted that the petitioner apprehended in jail with 115 grams of *Ganja* along with 159 grams of tablet of prohibited drugs. It is submitted that the photograph annexed with FIR itself approved the allegations on its face. It is submitted that fault in investigation cannot be looked into at this stage.

5. Considering aforesaid factual submissions and by taking note of fact as petitioner found *prima-facie* in possession of narcotics drugs and also prohibited tablets inside jail, where he works as data entry operators the present quashing petition appears devoid of any merit, accordingly, same stands dismissed.



6. Let copy of this judgment be sent to
learned trial court forthwith.

(Chandra Shekhar Jha, J)

Sudha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.06.2025
Transmission Date	18.06.2025

