

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, MUNGER
N.D.P.S. CASE NO. 9 OF 2026
[Excise Tarapur P.S. Case No. 42 of 2026]
Date of Judgment 13.07.2026

<u>FORM A</u> IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, MUNGER Date of the Judgment 13.07.2026 [Excise Tarapur P.S. Case No. 42 of 2026] N.D.P.S. CASE NO. 9 OF 2026

Informant	A.S.I. Sandhya Sinha, Tarapur, P.S. Excise Tarapur, Dist- Munger.
Represented by	Sri. Sunil Gupta, Ld. Spl. P.P.
Accused Person	Subodh Kumar , aged about 27 years, S/o Late Anandi Baidh R/o Village Bikrampur, P.S.-Asarganj, District-Munger.
Represented by	Sri. Chandra Bhanu Sahu, Ld. Advocate, Sri. Ashish Anand, Ld. Advocate.

<u>FORM B</u>	
Date of offence	16.03.2026
Date of FIR	16.03.2026
Date of charge-sheet	04.06.2026
Date of Framing of Charges	13.07.2026
Date of commencement of evidence	---
Date on which Judgment is reserved	13.07.2026
Date of the Judgment	13.07.2026
Date of the Sentencing Order, if any	13.07.2026

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Accused Details :

Rank of the Accused	Name of the Accused	Date of Arrest	Date of Release on Bail	Offences Charged with	Whether Acquitted or convicted	Sentence Imposed	Period of Detention Undergone during Trial for purpose of Section 428 Cr.P.C.
1	Subodh Kumar	16.03.2026	-	u/ss 20(b) (ii)(A) of the N.D.P.S Act	Convicted	Simple imprisonment as undergone as undertrial and fine of Rs.10,000/- and in default to pay fine further Simple Imprisonment for one month	-

FORM C

LIST OF PROSECUTION/DEFENCE/COURT WITNESSES

A. Prosecution

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS,OTHER WITNESS)
1	NIL	NA

B. Defence Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS,OTHER WITNESS)
1	NIL	NA

C. Court Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS,OTHER WITNESS)
1	NIL	NA

**LIST OF PROSECUTION/DEFENCE/COURT
EXHIBITS**

A. Prosecution :

Sr. No.	Exhibit Number	Description
1	NIL	NA

B. Defence :

Sr. No.	Exhibit Number	Description
1	NIL	NA

C. Court Exhibits :

Sr. No.	Exhibit Number	Description
1	NIL	NA

D. Material Objects :

Sr. No.	Exhibit Number	Description
1	NIL	NA

J U D G M E N T

(1) In this case accused person namely Subodh Kumar is facing trial for the offences punishable u/ss 20(b)(ii)(A) Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter ‘the N.D.P.S Act.’).

(2) Briefly, the prosecution case is that the informant, who is a Police Officer, on information conducted a raid near Bikrampur market and recovered ‘238’ grams of contraband ‘ganja’ kept in black coloured polythene bag from a yellow coloured plastic bag held in the right hand of the

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Subodh Kumar. Further, it is alleged that the accused was involved in the sale, purchase and storage of the contraband 'ganja'. Hence the information based on which above stated Excise Tarapur P.S. Case No. 42 of 2026 dated 16.03.2026 u/ss 20(b)(ii)(A) of the N.D.P.S Act was registered.

(3) That after completion of investigation a charge-sheet under No. 92/2026 dated 04.06.2026 was submitted u/ss 20(b)(ii)(A) of the N.D.P.S. Act. Further this Court took cognizance of the offences u/ss 20(b)(ii)(A) of N.D.P.S. Act vide order dated 13.07.2026 against the above named accused person and thereafter the case was fixed for framing of charge.

(4) In the mean time an application duly supported by an affidavit on behalf of the accused person namely Subodh Kumar was placed on record wherein the accused person stated that he is the named accused of the case and he is willing to confess his guilt in the case and that he is willing to deposit the fine in the case as per direction of this Court. Accordingly, the Ld. Counsel on behalf of the accused person pleaded that the accused person be permitted to plead guilty before the Court.

(5) The Court while considering the application questioned the accused person as to whether he want to confess his guilt voluntarily and whether he were aware of the consequences of such a confession before the Court. The accused person replied in affirmative regarding his confession of the guilt.

(6) The Ld. Special P.P. has given 'no objection' to this application.

(7) That charges u/ss 20(b)(ii)(A) of N.D.P.S Act 1985 were framed against the accused person and its contents were read over and explained to him in Hindi language as that on 13.07.2026, '238' grams of 'ganja' in polythene bag of black colour was recovered from the accused's

right hand and after its examination by the F.S.L, it was confirmed that the seized contraband is 'ganja' having Tetrahydro Cannabinol (T.H.C) as its chief intoxicating ingredient and hence contravening the provisions of the N.D.P.S. Act and thereby committed an offence punishable u/ss 20(b)(ii)(A) of N.D.P.S Act to which the accused person pleaded guilty.

(8) Thereafter in his statement u/s 313 of Cr.P.C. he clearly accepted his guilt and stated that he is well aware of the consequences of his action and further that he is doing so voluntarily without any coercion or undue influence.

Submissions of the Ld. Special P.P.

(9) The Ld. Spl. P.P. submits that the accused person has confessed his guilt voluntarily without any fear or coercion. He further submits that it seems that the charges were framed u/ss 20(b)(ii)(A) of N.D.P.S. Act for possession of about '238' grams of 'ganja' which is a small quantity. That since the accused person has pleaded guilty, he may be convicted u/s 20(b)(ii)(A) of N.D.P.S Act. He further submits that as per Entry No. 55 of the table appended to the N.D.P.S Act the small quantity of contraband 'ganja' outlined is about 1 Kg. That, the accused person in the case has pleaded guilty for possession of about '238' grams of the contraband 'ganja' and hence the same comes under small quantity. Accordingly, the Ld. Special P.P pleads that maximum sentence permissible be imposed.

Submissions of the Ld. Defence Counsel

(10) The Ld. Defence Counsel submits that the accused person pleaded his guilt voluntarily without any fear or coercion or any undue influence before the Court. That he is the law abiding citizen of the country and small quantity contraband 'ganja' has been recovered from his

possession. That the accused person is willing to deposit fine amount as directed by the Court. That the accused person is the sole bread earner of his family and therefore while imposing sentence this Court should consider their case liberally and on sympathetic grounds.

(11) Heard the respective Ld. Counsels and perused the record.

(12) From the record, it seems that the allegations against the accused person is that about '238' grams of 'ganja' were recovered from him. Thereafter he has filed an application duly supported with an affidavit to the effect that he want to plead their guilt in the case. Accordingly, he has pleaded guilty to charges u/ss 20(b)(ii)(A) of N.D.P.S Act.

(13) Considering the entirety of the record, the submissions of the respective Ld. Counsels and in the totality of the facts and circumstances of the case, I hereby **Convict** the accused person namely **Subodh Kumar** for possession of about '238' grams of 'ganja' (Narcotic Substance) u/ss 20(b)(ii)(A) of N.D.P.S Act.

(14) The only question that is before this Court now is to determine the quantum of sentence to be imposed upon the convicted persons.

(15) As outlined above, the Ld. Counsel has pleaded that the case of the convicted person be considered on sympathetic ground considering the quantity of narcotic substance recovered and that he has voluntarily confessed his guilt before this Court. The Ld. Counsel has pleaded that the sentence of imprisonment as undergone and nominal fine amount be imposed.

(16) Considering the submissions of the respective Ld. Counsels, that he has voluntarily and without any fear and after understanding the consequences, pleaded guilty before the Court and prayed to consider his case liberally and sympathetically, I am hereby sentencing the convicted

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Subodh Kumar to a term of imprisonment which shall be as undergone as an undertrial and further considering the nature of offence, I am hereby imposing a fine amount of Rs. 10,000/- only (Ten Thousand Rupees only) on the accused person which shall be paid by him within one month from the date of this judgment and in default thereof he shall further undergo simple imprisonment for a term of one month.

(17) A copy of this judgment be sent to District Magistrate, Munger and the case file be consigned to the Record Room.

Dictated & corrected by me

Sessions Judge, Munger
Dated 13.07.2026

(ALOK GUPTA)
Sessions Judge, Munger
Dated 13.07.2026