

In the Court of Addl. Sessions Judge- I-Cum- Special Judge NDPS

Vaishali at Hajipur,

NDPS Case No.- 11/2024

Bidupur PS Case no.-54-2024

Order

22.05.2024 A bail petition on behalf of the petitioner Aman Kumar @ Ranjeet Kumar who is in custody since 29.01.2024 in connection with Bidupur PS Case no.-54-2024 (NDPS- 11/2024) filed and moved.

The prosecution case in short is that on 28.01.2024 at 14:30 PM when the informant was checking the vehicle she got secret information that the petitioner is smoking smack and selling the same near the house of retired teacher namely Ram Prasad Thakur of mile, Bidupur. The further prosecution case is that when the informant reached near the house of said retired teacher at mile at 14:55 a person started running away after seeing the police vehicle. He was apprehended with the aid of force and upon inquiry he stated that he has smack puriya and he smoke and sells it and on further inquiry he disclosed his name to be Aman Kumar @ Ranjeet Kumar. The further prosecution case is that on search of his pocket in presence of independent witnesses total 20 puriya of brown sugar has been recovered which on weight total 8.370 gram was found. Accordingly, seizure list was prepared and FIR has been instituted. Accordingly, with the said allegation FIR has been instituted.

The learned counsel for the petitioner submits that the petitioner is quite innocent and has committed no offence. It is further submitted that no occurrence did take place as alleged in the FIR. It is further submitted that no any incriminating material or drug has been recovered from the conscious

possession of the petitioner. It is further submitted that the allegation as alleged in the FIR is palpably false and concocted. It is at last submitted that petitioner is man of means and ready to furnish sound and suitable sureties to the satisfaction of this court. The learned counsel pray to release the petitioner on bail.

The learned Special Public Prosecutor opposed the prayer of learned counsel of petitioners.

Heard the parties and perused the record. The police in the instant matter recovered 8.370 gram smack from the conscious possession of petitioner. The alleged recovered contraband is of commercial quantity. The witnesses mentioned in para 7 and 8 of the case diary have supported the prosecution case. On the above facts, circumstances of the case and as the recovered smack is of commercial quantity this court is of the opinion that it is not a fit case to admit the petitioner to regular bail and hence the bail application so filed on his behalf is hereby rejected.

Addl. Sessions Judge-I-
Cum- Special Judge NDPS
Vaishali at Hajipur.
22.05.2024