

In the Court of Md Gheyasuddin District & Addl. Sessions Judge- I-Cum-Special Judge NDPS,

**In the Court of Md Gheyasuddin District & Addl. Sessions Judge- I-Cum-Special
Judge NDPS,**

Vaishali at Hajipur,

Sarai PS Case No.- 29/2024

NDPS-17/2024

In the matter of :-

Ghanshayam Thakur,

..... **Petitioner**

Versus

The State of Bihar

..... **Opposite Party**

ORDER

22.05.2025 The petitioner above named is in custody since 27.02.2024 in connection with Sarai PS Case no. 29/2024, u/s 8,20(b)(ii)(c)/25 of NDPS Act and 25(1-b)a/26/35 of Arms Act hence the instant petition for regular bail has been filed on his behalf.

The prosecution case in brief is that on secret information on 25.02.2024 at 20:15 PM, 100 meter South of the house of Vinay Thakur reached and saw one person on 220 CC black colour Pulsar motorcycle registration no. BR-06-DM-7450 with bag on his back was going, who seeing police tried to fled away turning his motorcycle, who was apprehended by the police after chasing. The apprehended person told his name Ghanshayam Thakur, Son of Naresh Kumar Thakur, Village- Manibhakurhar, PS-Sarai, District-Vaishali. The police following the rules searched the apprehended person and recovered from blue jeans pant one live cartridge and on unloading one live cartridge KF 8 MM inscribed on the bottom and from right pocket two android mobile with SIM no. 9334919533 and 7870409574. The police also searched American Tourister bag and on

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opening one packet wrapped with tape was recovered and suspected to be narcotic substance on looking. The police following rules searched the packet and recovered Charas like narcotic substance and on weighing found to be 1.660 kg. On examination through DD kit it was found to be charas like narcotic substance which was sealed at the place of occurrence with the help of circle officer, Bhagwanpur. Thereafter seizure list of seized material was prepared.

Learned counsel on behalf of petitioner submitted that petitioner is innocent and he has committed no offence whatsoever as alleged. It is further submitted that petitioner has criminal antecedent in (i) Sarai PS Case no. 14/2024, u/s 399, 402 of IPC and 25(1-b)a, 26, 35 of Arms Act and 8/20(b)(ii)(c) of NDPS Act (ii) Sarai PS Case no.322/2023, u/s 341, 323, 419, 420, 379, 354B, 504, 506/34 of IPC, (iii) Sarai PS Case no.-327/2023, u/s 365, 387, 120B of IPC, (iv) Sarai PS Case no.-11/2024, u/s 302, 120B of IPC and 27 of Arms Act, (v) Mahua PS Case no.- 93/2013, u/s 138A/135 of IPC. It is further submitted that nothing has been recovered from the conscious possession of petitioner. It is at last submitted that petitioner is man of means and ready to furnish bail bond. It is therefore prayed that petitioner be allowed regular bail.

Learned Special Public Prosecutor opposed the prayer for bail and submitted that police has recovered total 1.660 kg of narcotic substance charas from the conscious possession of petitioner. As such he does not deserve to be enlarged on bail and hence the bail application so filed on his behalf is fit to be rejected.

Perused the case record and the case diary. After perusal of the record it appears that on secret information raid was conducted by the police and police has recovered 1.660 kg narcotic substance charas was recovered. There is specific allegation against

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him that police has recovered charas from his conscious possession. The petitioner has long criminal antecedent against his name of similar natures. As such I am not inclined to enlarge the accused/petitioner on bail accordingly his prayer for bail is hereby rejected.

Dictated

Md. Gheyasuddin
District & Additional Sessions Judge-1st-
Cum Special Judge NDPS
Vaishali at Hajipur.
22.05.2025