

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14455 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -BOCHHA District- MUZAFFARPUR

- =====
1. Nashima Wife of Md. Alam village - Baretha Khijarpur, P.S. Manather, District - Muradabad (U. P.)/village - Rampur, P.S. Manathi, District - Muradabad (U. P.)
 2. Shama Wife of Md. Meenjar village - Lalbara, Police Station - Mahabad, District - Rampur, (Muradabad U.P.)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 01-06-2015 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners seek bail in a case registered for the offence punishable under Sections 8/20 (B), (ii) (C), 22, 29 of the Narcotic Drugs and Psychotropic Substances Act and 34 of the Indian Penal Code.

The prosecution case, in brief, is that officer-in-charge of Bochaha police station got information about the two trucks carrying ganja. He along with police force and the B.D. O., Bochaha, reached at NH-57. On seeing police force the drivers of the two trucks fled away taking advantage of fog and darkness. In each of the trucks one lady with two children were sitting and they disclosed their names before the B.D.O. Smell of ganja was also coming out from the vehicles. The vehicles were checked in presence of the witnesses. 57 packets of ganja were recovered from the truck bearing no. JH-09C-6077 and 31 packets were recovered from

the truck bearing no. HR-55M-1312. Both the petitioners were arrested and brought to the police station.

Learned counsel for the petitioners submits that nothing has been recovered from the conscious possession of the petitioners. Both are poor ladies and they had simply used the vehicles for travelling. Up-till-now no concrete finding has been given as to whether the recovered article is ganja and belongs to the petitioners.

Learned counsel for the State submits that the investigation report shows that both the petitioners are involved with smugglers gang and were travelling on the aforesaid two trucks with huge quantity of ganja. It has also been submitted that the quantity of ganja is more than commercial quantity.

Considering the facts and circumstance, in my opinion, the petitioners do not deserve bail at this stage. Prayer for bail of the petitioners is rejected.

(Amaresh Kumar Lal, J)

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