

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10946 of 2016

Arising Out of PS.Case No. -125 Year- 2015 Thana -AMAS District- GAYA

Binod Kumar S/o Parash Ram, resident of Village- Gurchal, P.S.- Nurpur,
District- Champa (Himachal Pradesh) .

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. A.Dayal(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-03-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in jail since 17.08.2015 in
a case registered for the offences punishable under Section 144 of
the Indian Penal Code and 20 and 22 of the NDPS Act.

During checking of the vehicle, the informant being the
police officer intercepted a truck from which driver Rajendra
Bahadur and the petitioner being the cleaner were apprehended.
From the truck, 80 kg of Ganja, 4 kgs. of Afim and 40 grams of
Doda were recovered. The driver of the vehicle conceded that the
truck was coming from Calcutta and was going to Ludhiana
(Punjab). He also disclosed that one Mukesh Yadav got loaded
Ganja, Afim and Doda on the truck and directed to handover the
same to one Kallu Yadav of Itwan, Uttar Pradesh.

It is submitted by learned counsel for the petitioner that the petitioner was the cleaner of the truck in question and he was not aware about the contraband being loaded on the truck. The seizure cannot be treated from the possession of the petitioner. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the commercial quantity of recovery of contraband, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected in connection with Amas P.S. Case No. 125 of 2015 pending in the court of learned Special Judge, NDPS Act, Gaya.

Let the trial be expedited.

(Dinesh Kumar Singh, J)

Amrendra/-

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