

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8732 of 2016

Arising Out of PS.Case No. -36 Year- 2015 Thana -JADOPUR District- GOPALGANJ

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Sunil Sahani, son of Sudama Sahni

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-02-2016

Heard learned counsels for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since
21.05.2015 in a case registered for the offences punishable under
sections 8,20 and 22 of The Narcotic Drugs and Psychotropic
Substances Act in connection with Jadopur P.S. Case
No.36/2015, pending before the learned 1st Additional Sessions
Judge, Gopalganj.

Prosecution case is that the informant being the
S.H.O. of Jadopur police station, during patrolling, on
20.05.2015 at 4.30 A.M. found a truck parked and behind the
truck a silver colour Bolero was also found parked when a person
sitting in the Bolero vehicle escaped from the scene with the
Bolero vehicle and three persons after jumping out from the



truck and tried to escape from the scene but were apprehended, who disclosed their names as Rajulal Gupta, Pintu Pradhan and the petitioner. The apprehended accused persons disclosed that two quintals of 'ganja' kept in the box of truck was transported at the behest of the owner of the truck Hasindra Yadav. Sixteen packets of ten k.gs each were unloaded from truck into the Bolero vehicle. Thereafter, the truck was searched and 40.700 k.gs 'ganja' were recovered from the truck.

It is submitted by learned counsel for the petitioner that recovery of 'ganja' was not from the possession of the petitioner rather it was recovered from the truck and only on suspicion the petitioner has been roped in the present case. From the petitioner only a mobile was recovered.

Learned APP for the State submits that the petitioner was jumping out from the truck though the recovery was made from truck on confession of all the three apprehended accused persons including the petitioner. The accused also confessed that the truck was carrying two quintals of 'ganja'. Moreover, the petitioner has been charge-sheeted.

Considering the recovery of commercial quantity, this court is not inclined to grant bail to the petitioner at present. Accordingly, the application for bail on behalf of the petitioner is

rejected.

It is expected form the learned court below to expedite the trial.

(Dinesh Kumar Singh, J)

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