

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18710 of 2017**

Arising Out of PS.Case No. -144 Year- 2013 Thana -DURGAWATI District- BHABHUA  
(KAIMUR)

=====

Golden Upadhyay, Son of Bhola Upadhyay, resident of Village- Dal  
Sagar, P.S.- Buxar Audhogik, District- Buxar.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR  
JHA**

**ORAL ORDER**

4      21-06-2017                      Heard both sides.

The petitioner seeks bail in Durgawati P.S. Case No.  
144/2013, registered for the offences punishable under Sections  
20(B)(ii), 21, 22, 25 and 27(A) of the N.D.P.S. Act.

Prayer for bail of the petitioner was earlier rejected  
vide order dated 27.07.2016.

Learned counsel for the petitioner submits that the  
petitioner was the driver of the truck and he had no knowledge  
about the content kept in the bags. The owner of the truck did not  
appear. It is further submitted that seizure list of the seized article  
have not been produced in the Court and on this ground alone the  
conviction of the accused was set aside vide order/judgment



passed in **Cr. Appeal No. 673/2015 reported in Vol-2, PCCR (2017)**, but it appears that petitioner was driving the vehicle and 19 bags of Ganja was recovered from the truck. Commercial quantity of Ganja was recovered from the possession of the petitioner and the Ganja (specimen) was duly produced before the Court and the same was sent to the Forensic Science Laboratory.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J.)**

Vinita/-

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