

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 27056 of 2018

Arising Out of PS. Case No.-23 Year-2017 Thana- Dagarwa District- Purnia

Nunu Mandal @ Nunu Lal Mandal, S/o Late Khurkhun Mandal, resident of
Village- Kataiya, P.S.- Pipra, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr.Adv.

Mr. Mithilesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 04-05-2018 Heard Sri Krishna Prasad Singh, learned senior
counsel assisted by Sri Mithilesh Kumar Singh, learned counsel
for the petitioner and Sri Mithilesh Kumar Khare, learned Addl.
Public Prosecutor.

The sole petitioner, who is in custody in Special Case
No. 22 of 2017/CIS No. 23 of 2017 (arising out of Dagarwa P.S.
Case No. 203 of 2017) registered for offence under Sections 8,
20(b)(ii)(c), 25, 29 of the Narcotic Drugs and Psychotropic
Substances Act, 1985 (hereinafter referred to as 'N.D.P.S. Act'),
has prayed for grant of bail.

Learned senior counsel for the petitioner submits that
petitioner was shown to be arrested from a Scorpio, whereas,
from the said Scorpio, nothing was recovered. However, he



admits that a truck, which was also chased by the police party, was intercepted and from the said truck, about 726 Kg. of *Ganja* was recovered and petitioner has been made accused, as if, petitioner alongwith others were escorting the truck. He further submits that some of the accused (occupant of the Scorpio) have already been granted bail.

Learned Addl. Public Prosecutor, opposing the prayer, submits that in this case, huge quantity of *Ganja* was recovered. In the case, material suggests that petitioner alongwith others on Scorpio were escorting the truck loaded with huge quantity of *Ganja*. Learned Addl. Public Prosecutor has also drawn my attention to statement made in paragraph – 3 of the petition to show that petitioner is having criminal antecedent and on earlier two occasions, he was made accused for offence under the N.D.P.S. Act.

Considering the nature of accusation, criminal antecedent as well as restriction imposed under the N.D.P.S. Act, there is no reason to pass favourable order.

The prayer for bail stands rejected.

(Rakesh Kumar, J.)

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