

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.61267 of 2018**

Arising Out of PS.Case No. -143 Year- 2018 Thana -BALIYA District- BEGUSARAI

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Jitendra Singh @ Jitendra Kumar, son of Kapildev Singh @ Kapildev Prasad, R/o Village-Chharapatti, P.S.-Alauli, District-Khagria.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate

For the Opposite Party/s : Mr. Binod Kumar 3, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3/ 06-11-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Ballia P.S. Case No.143 of 2018** instituted for the offence under Section(s) 8, 20(b)(ii)(c), 25, 29 of the NDPS Act pending in the Court of the **Sessions Judge, Begusarai.**

It is alleged in the written report that the police got confidential information regarding *Ganja* to be brought at Shivam Line Hotel. The Informant and other police personnel reached Shivam Line Hotel and found a Truck standing near Shivam Line Hotel and several persons were sitting near the Truck, who tried to run away from there. The police made search of the Truck and recovered 28 bags each containing 31 Kg. *Ganja*. This petitioner along with four other accused persons,



Truck Driver, and Amarjeet Yadav, owner of the Line Hotel were arrested from the Line Hotel. It was also disclosed to the police during interrogation that Amarjeet Yadav is doing business of *Ganja* and some packets have been sent to Janipur and near residence of Amarjeet Yadav, a pickup van was standing from which five labourers were carrying bags containing *Ganja* from the pickup van. All those labourers were also arrested, who were involved in unloading *Ganja*. Six packets each of 31 Kg. *Ganja* and five persons were caught loading the same. Further, 5 packets *Ganja* each of 31 Kg. was recovered from the *Khaparposh* room of Amarjeet Yadav. The persons, who were loading *Ganja*, disclosed their names as Mahesh Thakur, Md. Daud, Bhim Yadav, Ram Lal Singh and Lalan Pathak.

The police made search of the persons arrested near the hotel and recovered cash and other articles as mentioned in the seizure list. The police recovered rupees fifty thousand, motorcycle, mobile phone etc. from possession of the petitioner.

Counsel for the petitioner has submitted that one of the accused, Ram Lal Singh, who was found, loading *Ganja* on the pickup van, has been granted regular bail by this Court by order dated 31.10.2018 passed in Cr. Misc. No.60108 of 2018.

Learned APP has submitted that case of this



petitioner is different from that accused. This petitioner was found near Shivam Line Hotel where truck loaded with huge quantity of Ganja was found and the petitioner was arrested from that place. Seizure list shows that rupees fifty thousand was recovered from the possession of the petitioner along with other articles.

In the case diary, the informant in his further statement and other witnesses have also levelled allegation against the petitioner of having been arrested while running away from Shivam Line Hotel on seeing the police party and a truck containing huge quantity of *Ganja* total 28 packets each of 31 Kg. was standing near Shivam Hotel.

In such circumstances, this Court is not inclined to enlarge the petitioner on bail.

Prayer of the petitioner for grant of bail is rejected at this stage.

Trial Court is directed to expedite the trial. The petitioner is given liberty to renew the prayer for bail after nine months if no substantial progress is made in trial.

**(Sanjay Priya, J)**

JA/-

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