

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48465 of 2018

Arising Out of PS.Case No. -22 Year- 2015 Thana -BOCHHA District- MUZAFFARPUR

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1. Chandeshwar Mahto S/o Nandan Mahto, R/o Vill.- Lalpura, P.S.- Saraiya, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-09-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Bochahan P.S.Case No.22 of 2015 registered for offences punishable under Sections 8/20(b)(ii)(c)/22/29 of the NDPS Act.

Petitioner is owner of the Truck and the allegation is that the truck was carrying 560 kg. *Ganja*.

Submission of the learned counsel for the petitioner is that the *Ganja* was not recovered from the Truck rather when it was in the process of loading, two ladies took lift, as there was some mechanical problem in the Truck, and the *Ganja* was recovered and nothing has been recovered from the Truck and moreover the petitioner is the owner and he is engaged in some other business.

Heard learned A.P.P. who has opposed the prayer for bail



stating that the huge quantity of ganja has been recovered from the truck and the petitioner is the owner of the truck..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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