

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20143 of 2018

Arising Out of PS.Case No. -263 Year- 2017 Thana -JAGDIHSPUR District- BHOJPUR

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1. Dhananjay Singh Son of Sri Ram Naresh Singh Resident of Village-
Masarh, Police Station- Udawant Nagar(Gajraj Ganj), District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachchida Nand Singh

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-05-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
Jagdishpur PS case no. 263 of 2017 instituted for the offences
punishable under Sections 21, 22, 24 of N.D.P.S. Act.

The case of the prosecution, accordingly to the
informant namely Baijnath Choudhary, officer-in-charge,
Jagdishpur police station is that after receiving secret information
on 10.09.2017 regarding huge quantity of *ganja* being carried in
the vicinity of village Masarh, a raiding party was constituted,
whereupon the said raiding party reached at the suspected place
and it was found that a tractor was plying speedily. The said
tractor was then chased and intercepted, whereupon the driver and



two unknown persons sitting on the said tractor fled away, leaving the tractor in the paddy field. The police upon verification, found plastic bag containing *ganja* like substance kept in the tractor weighing 575 kg and a seizure list was prepared.

The learned Senior counsel for the petitioner has submitted that the petitioner has not been named in the FIR and there is no material on record to connect the petitioner with the alleged crime. It is further submitted that the petitioner is having a clean antecedent and is languishing in custody since long.

Per contra, the learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner herein and has referred to the relevant paragraphs of the case diary to show that evidence has come on the record of the case so as to connect the petitioner with the alleged occurrence. It is further submitted that the petitioner has admitted in his confessional statement that he was driving the said tractor in which, huge quantity of *ganja* was being carried out in its trailer. In nutshell, the submission of the learned APP for the State is that contraband narcotics substance, recovered in such huge quantities, disentitles the petitioner from being extended the privilege of bail.

Having regard to the facts and circumstances of the case, this Court is not inclined to grant regular bail to the



petitioner herein, however considering the fact that the investigation points out to the petitioner being only the person who was driving the tractor and the *ganja* belongs to the main accused person namely Jai Prakash Singh as also the fact that the investigation is going on in the present case, this Court is of the view that the petitioner may renew his prayer for bail after one year.

The petition is dismissed.

(Mohit Kumar Shah, J)

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