

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61164 of 2019

Arising Out of PS. Case No.-219 Year-2019 Thana- RAHUI District- Nalanda

Awadhesh Roy @ Awadhesh Ray, Son of Shyam Ray @ Shyam Nandan Ray,
Resident of Village - Dhaukal Ray Ke Michla Tola, P.S.- Athmalgola, District
- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 12.06.2019 in connection with G.R. Case No.3180 of 2019 arising out of Rahui (Wena) P.S. Case No.219 of 2019 registered for the offence under Sections 8/20(b)(ii)(c)/25/29 of the N.D.P.S. Act.

It is submitted by the learned counsel for the petitioner that the petitioner is the truck owner, which is alleged to be carrying huge quantity of *Ganja* weighing 389.600 Kg. It is evident from perusal of the F.I.R. that Ganja was being transported from Vishakhapatnam and it is alleged that the said vehicle was coming from Jharkhand and was



apprehended near Biharsharif. Learned counsel for the petitioner further submits that since the petitioner is the truck owner, he had no knowledge that such contraband was being carried in his vehicle and therefore, he may not be prosecuted in connection with the present case. It is further submitted that the petitioner is languishing in jail since 12.06.2019.

Having considered the entire facts and circumstances of the case and also because a huge quantity of *Ganja* was recovered from the hidden compartment of the truck and the Driver and Khalasi have stated that the petitioner is the truck owner and it was under his instructions that the same was being carried to his maternal uncle Bulu Rai, I am not inclined to grant regular bail to the petitioner. It is, accordingly, rejected.

(Anjana Mishra, J)

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