

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23582 of 2020

Arising Out of PS. Case No.-41 Year-2019 Thana- GUTHANI District- Siwan

SADDAM HUSSAIN Son of Hazi Munaf @ Munaph Resident of Village -
Lalwara, P.S. Mainadher, District - Moradabad (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-11-2020 Heard Mr. Sanjay Kumar Singh, learned counsel for
the petitioner and Mr. Bharat Bhushan, learned Additional
Public Prosecutor appearing for the State through video
conferencing.

Petitioner seeks regular bail in connection with
N.D.P.S. Trial No. 100 of 2019 arising out of Guthani P.S. Case
No. 41 of 2019 registered for the offence punishable under
Sections 8/20(c)(iii)(c) of N.D.P.S. Act.

The allegation as per the First Information Report is
that a container vehicle coming from Mairwa was intercepted by
the Police and a total quantity of 140.650 kg. of *Ganja* was
recovered from the said vehicle. The petitioner is said to be
owner cum driver of the said vehicle.

Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. Learned counsel further submits that provisions of Sections 42 and 50 of the N.D.P.S. Act have not been complied at the time of search and seizure. Learned counsel also submits that the petitioner is in custody since 12.03.2019.

Having heard learned counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is owner cum driver of the vehicle and a huge quantity of *Ganja* i.e. about 140.650 Kg. has been recovered, I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for bail of the petitioner stands rejected.

(Anil Kumar Sinha, J)

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