

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32778 of 2020

Arising Out of PS. Case No.-77 Year-2020 Thana- MATIHANI District- Begusarai

Shambhu Kumar Son of Late Bhola Yadav Resident of Village - Hulas, Police
Station- Raghapur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-12-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 28.06.2020 in connection with Matihani P.S. Case No. 77 of 2020 registered for the offences punishable under Sections 20(b)(ii)(B) and Section 22 of the NDPS Act.

As per the prosecution case, 26 Kg 290 Gm. of Ganja was recovered from the vehicle and petitioner was driving the same.

It is submitted on behalf of the petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner was actually a driver of the vehicle and he was simply discharging his duty and it was not within his knowledge that the loaded article is Ganja.



Learned APP for the State has vehemently opposed the bail application and has submitted that huge amount of ganja has been recovered from the vehicle of which this petitioner is driver.

Considering the aforementioned facts and circumstances, I am not inclined to grant bail to this petitioner. It is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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