

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74380 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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ABDUL AUWAL S/o Hajrat Ali Resident of village- Pakhakata, P.S.-
Abhayapuri, District- Bongaigaon, State- Assam

... .. Petitioner/s

Versus

1. THE U.O.I. MINISTRY OF HOME AFFAIRS DEPTT. OF INTERNAL
SECURITY NARCOTIC, CENTRAL BUREAU, PATNA Bihar
2. The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Adv.

For the State : Mr. Uma Shankar Prasad Singh, APP

For the UoI : Mr. Awadhesh Kumar Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 18-06-2020 The matter has been taken up through virtual Court
proceeding.

Heard learned counsels for the petitioner, Union of
India and learned APP for the State.

The petitioner is languishing in custody since
28.05.2019 in a case registered for the offences punishable
under Sections 20,25 and 29 of the N.D.P.S. Act.

The prosecution case is that on a confidential



information, the Narcotic Control Bureau team intercepted a truck at Zero Mile Barauni in which two persons were traveling. Subsequently, there were apprehended and disclosed their names as co-accused, Wahab Ali, Abdul Auwal (petitioner), who were respectively driver and cleaner of the vehicle in question. During frisking, from the truck in question, 282 KG ganja were recovered.

It is submitted by learned counsel for the petitioner that the petitioner was not aware about the ganja being carried out through the truck in question. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the UoI and learned APP for the State jointly submits that the petitioner was the cleaner of the truck in question from which commercial quantity of ganja has been recovered.

Considering recovery of commercial quantity of ganja from the truck in question, this Court is not inclined to grant bail to the petitioner for the present.

Accordingly, the prayer for bail of the petitioner in CIS No. 18 of 2019, arising out of N.D.P.S. Case No.13 of 2019, pending before the learned Sessions Judge, Begusarai is



rejected.

However, it is expected from the trial Court to expedite the trial.

(Dinesh Kumar Singh, J)

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