

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15236 of 2021

Arising Out of PS. Case No.-65 Year-2020 Thana- KUTUMBA District- Aurangabad

Abdul Taufique Son Of Noor Hasan Resident Of Village - Sikrahata, P.S.-
Sikrahata, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mrs. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-08-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Kutumba P.S.
Case No. 65/20 registered for the offence punishable under Sections
8/20 (b) (ii) (c)/25/29 of the N.D.P.S. Act.

As per the prosecution case, on search 349 Kg., 730 G. illegal
Ganja was recovered from the Truck bearing registration No. JH 10
W-9287 and two persons were found sitting in that truck who
disclosed their name as *Pawan Kumar*, driver and *Abdul Taufique*,
co-driver (petitioner). It is also alleged that truck is coming from
Orissa through Jharkhand State for Bhojpur District in Bihar with



Ganja.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent and has been languishing in custody since 30.04.2020.

Learned APP for the State vehemently opposing the bail petition submitted that huge quantity of contraband article has been recovered from the truck and the petitioner is the cleaner of the said truck.

Considering the facts aforesaid, I am not inclined to grant privilege of bail to petitioner in connection with Kutumba P.S. Case No. 65 of 2020 from the court of Learned 1st A.D.J.-cum-Special Judge (N.D.P.S.) Act, Aurangabad.

Accordingly, the prayer for bail of petitioner is hereby rejected.

However, the Trial court is directed to expedite the trial.

(Anjani Kumar Sharan, J)

GAURAV S./-

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