

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20357 of 2021

Arising Out of PS. Case No.-16 Year-2017 Thana- D.R.I District- Muzaffarpur

1. JITENDRA CHAKMA SON OF RAJENDRA CHAKMA RESIDENT OF VILLAGE- TELIAMURA CHAKMAGAT, POST OFFICE- TELIAMURA, POLICE STATION- TELIAMURA, DISTRICT- KHOWALI (WEST TRIPURA), STATE TRIPURA-799205
2. RAJU MANDAL @ RAJU MONDAL SON OF SHRI AMHAD ALI MANDAL @ AHMAD ALI MONDAL RESIDENT OF VILLAGE- TARABERIA, POST OFFICE- PADMA LOVEPUR, POLICE STATION- AMDANGA, DISTRICT- TARABARIA, NORTH 24 PARAGANA (WEST BENGAL) 743126

... .. Petitioner/s

Versus

THE UNION OF INDIA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mazharul Hassan
For the Opposite Party/s : Mr.K.N.Singh, A.D.S.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-07-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioners and the State.

The petitioner prays for grant of bail in D.R.I. Case no.
16 of 2017-18 registered for the offence punishable under
sections 20, 23, 25 and 29 of the N.D.P.S. Act.

As per prosecution case, 854.20 kg Ganja worth Rs
42,71,250/- was recovered from the truck of which petitioners
were occupants.

It is submitted on behalf of the petitioners that



petitioners have been falsely implicated in this case and they had no knowledge about the consignment loaded in the truck. Petitioners have got clean antecedent and are in custody since 16.09.2017. It is further submitted that mandatory provision of search and seizure has not been followed.

However, learned counsel for the DRI opposed the prayer for bail and submitted that huge quantity of Ganja was recovered from the truck in which these petitioners were sitting.

Considering the rival submissions and materials on record and since huge quantity of Ganja has been recovered, this bail application is rejected.

As petitioners are in custody since 16.09.2017, trial court is directed to conclude the trial of the petitioners as early as possible.

(Prabhat Kumar Singh, J)

s.hassan/-

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