

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28517 of 2020

Arising Out of PS. Case No.-3 Year-2019 Thana- D.R.I District- Patna

Vijay Shankar Yadav, Aged about ___ Years, Male, Son of Mahesh Yadav,
Resident of Village- Ramgah Naya Dera, P.S. Brahampur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Himanshu Sagar
For the Opposite Party/s : Mr. Ajit Kumar Sinha, CGC
Mr. Md. Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 20-01-2021 Heard Mr. Himanshu Sagar, learned counsel for the
petitioner, Mr. Ajit Kumar Sinha, learned counsel for the Union
of India and Mr. Md. Sufyan, learned Additional Public
Prosecutor for the State.

Petitioner seeks regular bail in connection with DRI F.
No. DRI / LZU / PRU / 718 (II) ENQ- 03 / 19 dated 26.01.2019
/ Special Case No. 13 of 2019 registered under Section 23 of the
NDPS Act.

The allegation as per the First Information Report is
that the officials of the Directorate of Revenue Intelligence,
Regional Unit, Patna intercepted a Bolero Maxi Truck bearing
Registration No. JH-01M / 8997 and recovered 250.100 KG
“Ganja” from the said vehicle and the petitioner is said to be the



co-driver of the vehicle in question.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he being the co-driver of the vehicle in question was not aware about the “Ganja” being kept inside the vehicle.

On the other hand, learned counsel for the D.R.I. (Union of India) submits that the Officials of the D.R.I. intercepted the vehicle in question and recovered huge commercial quantity of “Ganja” from the same and two persons were sitting in the vehicle i.e. the petitioner and one driver namely, Pravej Khan. Learned counsel next submits that both the drivers i.e. Pravej Khan and the petitioner disclosed that “Ganja” is loaded in the secret chamber made in the body of the vehicle. Learned counsel next submits that petitioner was caught red handed along with huge quantity of “Ganja” which was in conscious possessions of the petitioner and the petitioner and the co-accused have also admitted that they are involved in the transportation of “Ganja”.

Having heard learned counsel for the parties and taking into consideration the materials available on record and the fact that huge commercial quantity of “Ganja” has been recovered from the vehicle which was



occupied by the petitioner as a co-driver, I am not inclined to grant regular bail to the petitioner.

Accordingly, the same is rejected.

However, taking into consideration the fact that petitioner has remained in custody for about 02 years, he may renew his prayer for regular bail after expiry of the period of one year from today, if the trial does not conclude.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

