

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32680 of 2020

Arising Out of PS. Case No.-178 Year-2020 Thana- ALAMGANJ District- Patna

JITENDRA KUMAR S/o Ratan Kumar Chaurasia Resident of Mohalla-
Chhoti Ishupur, P.S.- Industrial Area, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 01-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 20/22 of the N.D.P.S. Act.

The prosecution case, in brief, is that 106 kgs. of
ganja was recovered from the dicky of the car and the petitioner,
being the driver of the vehicle, was apprehended.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He is quite
innocent and has been falsely implicated in this case. No
incriminating article has been recovered from his conscious
physical possession. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature.
The petitioner is not the owner of the car in question rather he



was simply plying the car at the instruction of his owner without knowing the contents ladden therein. The petitioner has no criminal antecedent and has been languishing in custody since 08.03.2020.

Learned APP for the State vehemently opposing the bail petition submitted that the seized article is more than the commercial quantity and the petitioner is the driver of the car in question from the said article has been seized. Hence, the petitioner does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected.

However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within one year from the date of receipt/production of a copy of this order. Both the parties are expected to extend their full co-operation in conclusion of the trial.

(Anjani Kumar Sharan, J)

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