

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48873 of 2021

Arising Out of PS. Case No.-489 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

Suryakant Madheshiya @ Suryakant Madeshiya @ Bhanu Son of Late Umashankar Madeshiya @ Late Umshankar Madheshiya Resident of Village- Salempur, Ward No. VII, P.S.- Kotwali Salempur, District- Deoria (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 23-11-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Trial No. 30 of 2020, arising out of Kuchaikote P.S. Case No. 489 of 2020, registered for the offence under Sections 20, 22, 25, 29 of the N.D.P.S. Act.

As per the prosecution case, one quintal & 30 kg. of *Ganja* has been recovered from a Honda City car, of which, this petitioner is owner.

It is submitted on behalf of petitioner that no contraband has been recovered from the conscious possession of the petitioner. In fact, the petitioner had given his vehicle to his driver and without his knowledge, the vehicle was being used by the driver for transporting the contraband substance and there is no evidence to show involvement of petitioner in aforesaid matter. Petitioner is in custody since 13.04.2021.



However, learned A.P.P. for the State opposed the bail petition and submitted that there is recovery of huge quantity of *Ganja* from the vehicle of this petitioner.

Considering the nature of accusation and the quantity of *Ganja*, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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