

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3725 of 2021

Arising Out of PS. Case No.-324 Year-2020 Thana- GRIYAK District- Nalanda

SAURABH KUMAR JHA S/O SANJAY JHA R/O VILLAGE-SAHAJ
MADI, P.S.-BARDAHA, DISTRICT- ARARIA

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ratnakar Pandey,Advocate

For the Opposite Party/s : Mr.Binod Kumar,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 25-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking regular bail in connection with Giriyaak P.S. Case No. 324 of 2020 registered for the offences punishable under Section 8/20(B)(ii) (C)/25/29 of the Narcotics Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the N.D.P.S. Act').

Learned counsel for the petitioner submits that as per the prosecution story, when the vehicle was intercepted by the raiding party, the same was being driven by co-accused Krishna Murari. So far as this petitioner is concerned, he was there inside the vehicle and on seeing the raiding party he wanted to flee away but was caught.

Learned counsel submits that in course of raid from the vehicle altogether 39.826 kg of ganja has been seized which



was concealed in a secret place behind the backseat of the vehicle. It is his submission that the vehicle does not belong to this petitioner and admittedly it was in charge of the co-accused Krishna Murari with whom this petitioner has got no relationship. It is submitted that in fact he was asked by his friend who is co-accused Prince Jaiswal to accompany him on a visit to the State of Orissa and had gone at the instance of his friend. Learned counsel submits that in such circumstance no knowledge may be attributed to him. He has otherwise no criminal antecedent.

On the other hand, learned APP for the State submits that from the materials collected in course of investigation it would appear that Prince Jaiswal and Krishna Murari both are residing in two villages but within the same police station of Patna district. Though this petitioner is resident of another district but the materials are showing that he had also gone with his friend and the petitioner has been named by co-accused Krishna Murari as one of his accomplice. It is, thus, submitted that the petitioner does not deserve privilege of regular bail.

Having regard to the facts and circumstances of the case particularly taking into consideration the rigours of Section 37 of the N.D.P.S. Act and there being no prima-facie material



showing to take a view that the petitioner is entitled for the privilege of bail, this Court declines to grant regular bail to the petitioner at this stage.

The prayer for regular bail is, thus, refused.

Let the trial be expedited.

The application stands dismissed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

