

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9820 of 2022

Arising Out of PS. Case No.-333 Year-2021 Thana- BAISI District- Purnia

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Krishan Barman @ Krishna Barman S/O Late Dewan @ Beban Barman R/O
Village- Dakchin Bharat Nagar, Fuleshwari Bazar, Silliguri, P.S.- Bhakti
Nagar, District- Jalpaiguri, West Bengal

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Hussain

For the Opposite Party/s : Mr.Madhura Nand Jha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 8 and other allied sections of the Narcotic Drugs and Psychotropic Substances Act, 1985.

As per the prosecution case, 85.200 kilograms of Ganja has been recovered from the Maruti car of which petitioner was the driver.

Learned counsel appearing for the petitioner submits that no incriminating material has been recovered from the conscious possession of the petitioner. Mandatory provisions with regard to search and seizure have not been followed. It is further submitted that the petitioner is merely driver and was



not aware of the nature of consignment loaded on the vehicle and was simply following the instruction of the owner of the car. Petitioner claims clean antecedent. He is in custody since 21.11.2021.

Learned counsel appearing for the State opposes the prayer for bail and submits that huge quantity of Ganja has been recovered from the possession of the petitioner.

Considering the rival submissions of the parties and the embargo contained under section 37 of the NDPS Act, prayer for bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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