

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51017 of 2021

Arising Out of PS. Case No.-64 Year-2021 Thana- KHODAWANDPUR District- Begusarai

AKHILESH KUMAR S/o UMAKANT MAHTO @ KUNTILAL R/o
VILLAGE-FAFAUT, WARD 4, P.S-KHODAWANDPUR, DISTRICT-
BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-04-2022 Heard the parties.

Petitioner seeks regular bail in connection with Khodawandpur PS Case No. 64 of 2021 arising out of N.D.P.S. Case No. 6 of 2021 registered for the offence under Section 20 (ii)(c) and 22 (c) of the N.D.P.S. Act.

10 Kg. *Ganja* has been recovered from a motorcycle which was being driven by the petitioner and his father was sitting as pillion rider.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and the father of the petitioner had gone to market and by mistake he kept along with him a bag on the motorcycle containing *Ganja*. He further submits that petitioner is in



custody since 22.03.2021 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties, taking into consideration the the material available on record and the fact that father and son were going on the motorcycle and 10 Kg. of *Ganja* has been recovered from the bag kept by the father of the petitioner, this Court is of the opinion that petitioner was having knowledge and control over the contraband *Ganja* and the quantity of *Ganja* is much more than small quantity, as such, I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for grant of bail is rejected.

However, the learned trial court is directed to expedite the trial.

(Anil Kumar Sinha, J)

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