

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63281 of 2021**

Arising Out of PS. Case No.-75 Year-2015 Thana- AMBA District- Aurangabad

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Laldeo Kumar Sao @ Laldeo Kumar S/o Ram Kumar Sao Resident of
Village- Jabada, P.S.- Simariya, District- Chatra (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Samir Kumar

For the Opposite Party/s : Mrs. Madhuri Lata

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

5 28-02-2022 Heard learned counsel for the parties.

The petitioner seeks bail in Amba P.S. Case No. 75 of 2015, registered for the offence under Section 414/34 of the Indian Penal Code, Sections 8/15(c)/29 of the N.D.P.S. Act and Sections 2(E)/3(8)/15/18 of the Mahua Flowers Act.

As per the prosecution case, 945 kg of *Doda* (poppy straw) has been recovered from a pick-up van and it is alleged that this petitioner is owner of the said vehicle.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner and without any consent or knowledge, the driver of the vehicle had loaded the aforesaid contraband substance. Similarly situated co-accused (owner of the another vehicle) Rajendra Lal @ Raju has been granted bail by this Court, vide order dated



28.11.2018 passed in Cr.Misc. No. 64830 of 2018 (Annexure -2 to the petition). Petitioner is in custody since 06.09.2021.

However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner cannot seek parity with co-accused Rajendra Lal, who has been granted bail, since only 27 kg. of *Doda* was recovered from the vehicle of co-accused, whereas, from the vehicle of petitioner, there is recovery of 945 kg. of *Doda*.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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