

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64746 of 2021

Arising Out of PS. Case No.-7 Year-2020 Thana- D.R.I District- Patna

SHISHUPAL KUMAR S/o Late Lakshman Ray Resident of Village- Ram nagar Diara (Part in Bakhtiyarpur) P.O. Satarhbigha, P.S. - Athmalgola, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Union of India through the Deputy Director, Directorate of Revenue Intelligence Regional Unit, Patna, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhaneshwar Prasad Gupta
For the Opposite Party/s	:	Mr. Rabindra Kumar
For the UOI	:	Mr. Additional Solicitor General

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-03-2022 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned Additional Solicitor General for the Union of India.

The petitioner seeks bail in a case registered for the offences punishable under Sections 20, 25 and 29 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that petitioner is in custody since 28.10.2020 and chargesheet has been submitted. Petitioner is a person with clean antecedent.

Learned counsel for the petitioner submits that the informant alleged that petitioner alongwith Srikant were apprehended sitting in the truck from which 2160.680 kg of ganja was recovered.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. He was completely unaware that what was loaded in the truck and petitioner is the cleaner of the truck.

Learned A.P.P. for the State and learned Additional Solicitor General vehemently opposes the prayer for bail of the petitioner and submits that recovery is huge and is of commercial quantity and the petitioner was found sitting in the truck, as such, the presumption is that the petitioner was aware that the ganja was loaded in the truck.

Considering the submissions of the learned A.P.P. for the State and learned Additional Solicitor General, nature of allegation as alleged against the petitioner and keeping in view the recovery made, the Court is not incline to grant bail to the petitioner.

Accordingly, prayer for bail of the petitioner is rejected.

(Satyavrat Verma, J)

Ankit/-

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