

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68431 of 2021**

Arising Out of PS. Case No.-6 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Aurangabad

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Krishnakant @ Krishnakant Singh, S/O- Sona Singh R/O- Village And P.O. -  
Penar, P.S. - Nokha, District - Rohtas (Sasaram).

... .. Petitioner/s

Versus

1. The Union Of India
2. Intelligence Officer Narcotics Control Bureau, Patna. Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Radha Mohan Pandey- Advocate  
For the N.C.B. : Ms. Sail Kumari- Standing Counsel

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      21-04-2022                      Heard learned counsel for the petitioner and learned  
Standing Counsel for the N.C.B.

The petitioner seeks bail in a case registered for the  
offences punishable under Sections 8(c), 20(b)(ii)(c), 25 and  
29A of the N.D.P.S. Act.

The learned counsel for the petitioner submits that the  
petitioner is in custody since 09.03.2021, he is a person with  
clean antecedent and charge-sheet has been submitted in this  
case.

Allegation is of recovery of 1031.300 kilograms of  
Ganja from a truck and driver Giriwardhary Pandey and  
Rajendra Ram were arrested, who disclosed that the delivery  
was to be taken by Sadhu Yadav and Dharamraj and petitioner is



an associate of Sadhu Yadav and Dharamraj.

The learned counsel for the petitioner submits that admittedly, the petitioner was not apprehended from the spot and his name transpired in the confessional statement of Giriwardhary Pandey recorded under Section 67 of the N.D.P.S. Act wherein he disclosed the name of this petitioner that he along with Rakesh Kumar were waiting near an over bridge at Aurangabad for receiving the consignment. It is thus submitted that the petitioner at best is said to be an accomplice of Sadhu Yadav and Dharamraj, though directly he was not involved in the occurrence.

Learned Standing Counsel for the N.C.B. opposes the bail application and submits that from perusal of the statement of Giriwardhary Padey and Rajendra Ram, it would manifest that they have disclosed the name of this petitioner and further when search of aforesaid truck from which huge quantity of ganja was recovered started when Rajendra Ram started receiving a call from Mobile No.9142864568 and N.C.B. official asked him to pick-up phone on which Rajendra Ram disclosed that Rakesh Kumar and this petitioner, who are accomplice of Sadhu Yadav and Dharamraj are waiting on a Scorpio near Aurangabad over the bridge for receiving the same.



Accordingly, N.C.B. reached the place of occurrence from where the petitioner was arrested.

The learned counsel further submits that admittedly, it was Rajendra Ram and Giriwardhary Pandey, who disclosed the name of the petitioner that they were also involved in receiving the consignment based on such information, the place was raided and the petitioner was apprehended that in itself shows that the petitioner was also involved in the occurrence.

Considering the submissions made by the learned Standing Counsel for the N.C.B., the Court is not inclined to grant bail to the petitioner.

Accordingly, prayer for bail of the petitioner stands rejected.

**(Satyavrat Verma, J)**

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