

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45156 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- PURAINI District- Madhepura

SUNIL SINGH @ SUNIL MANDAL, Son of Late Sitabi Mandal, Resident of
Village - Bhatauni, Ward No.- 5, P.S.- Puraini, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 04-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. Petitioner seeks regular bail in connection with
Puraini P.S. Case No. 33 of 2023, dated 13.02.2023 registered
for the offence(s) punishable under Section(s) 8/20(b)(ii)(c) of
the N.D.P.S. Act.
3. As per the prosecution, the police personnel
upon secret information recovered 194.350 kilograms of *Ganja*
like substance from an ambulance while it was being unloaded,
some co-accused persons were apprehended from the alleged
place of recovery, who disclosed the name of this petitioner and
other persons who managed to flee from the place of occurrence
to be involved in smuggling of narcotic material.
4. The main submissions advanced by petitioner's



counsel are that the alleged contraband was not recovered from the conscious possession of this petitioner, his name came into light in the confessional statement of apprehended co-accused persons, in the present matter two places are stated to be concerned to the alleged recoveries but the petitioner has no connection with any of them and there is no independent witness of recovery of the alleged contraband. Further submission is that the petitioner has been languishing in jail since 13.04.2023 having no criminal antecedent.

5. Learned APP appearing for the State has opposed the prayer for bail.

6. Heard both the sides and perused the FIR. The instant matter relates to the recovery of 194.350 Kilograms of *Ganja* like material and as per allegation, petitioner and his wife indulged in smuggling of the said contraband and they brought the contraband from West Bengal and used their ambulance for the said purpose, petitioner and some of the co-accused persons were caught with the alleged contraband while it was being unloaded from the said ambulance. Considering the recovery of huge quantity of the alleged contraband and seriousness of the allegation appearing against this petitioner, this Court is not inclined to accept his prayer for bail. Accordingly, petitioner's



prayer for bail stands rejected.

(Shailendra Singh, J.)

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