

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69897 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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RAJIV KUMAR UPADHYAY Son of Late Durga Dutta Upadhyay Resident
of Village - Rampur Udaybhan, Nai Basti, P.O.- Baliya, P.S.- Kotwali, District
- Baliya (U.P.).

... .. Petitioner/s

Versus

The Union of India through Superintendent of Narcotics Control Bureau,
Patna Zone B.D. College Road Raja Bazar, Patna - 14, Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 44009 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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AMARJEET KUMAR SHARMA Son of Umesh Sharma Resident of village-
Anand Nagar, Nai Basti, Bahadurpur, P.O- Baliya, P.S- Kotwali, Dist- Baliya,
(Uttar Pradesh)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jr. Intelligence Officer, NCB, Patna Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 69897 of 2022)

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Dr. K.N. Singh Asg, APP

Mr. Radhika Raman, CGC

Mr. Ram T. Singh, Adv.

(In CRIMINAL MISCELLANEOUS No. 44009 of 2022)

For the Petitioner/s : Mr.Krishna Prasad Singh, Sr. Adv.

Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

For UOI : Mr. Ankit Kumar Singh, Adv.

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

9 20-04-2023 Heard learned counsel for the petitioners as well as

learned APP for the State.



In this case, the petitioners are seeking regular bail in connection with Special Case No. 6640 of 2021 arising out of Government Official Comp. P.S. Case No. 14 of 2022, registered for the offences punishable under Sections 8(C) r/w 20 (b)(ii), 25, 29 of N.D.P.S Act 1985.

A Mahindra XUV-500 vehicle was intercepted by the team of Narcotics Control Bureau and 100 kg of *ganja* was recovered from that vehicle. Both the petitioners were arrested from that vehicle.

Learned counsels for the petitioners have submitted that they are innocent and have falsely been implicated. They are the persons of clean antecedents.

On the other hand, the learned counsel for the Union of India has opposed the prayer for bail and submitted that 100 kg *ganja* was recovered from vehicle of the petitioner which is five times more than the commercial quantity and in laboratory test it was found that the seized article was *ganja*.

Considering the above-mentioned facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, it is rejected.

(Nawneet Kumar Pandey, J)

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