

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53701 of 2023

Arising Out of PS. Case No.-126 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

BHAG NARAIN YADAV SON OF PHULENA YADAV R/O VILLAGE-
BAJHIYA KALA, P.S- KOTWA, DISTT.- EAST CHAMPARAN
(MOTIHARI).

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 20-12-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Mohammadpur P.S. Case No. 126 / 2022 registered for the offence under Sections 414, 34 of the I.P.C. and Section 20 (b) (II) (c), 22 (c), 23 (c) and 29 (I) of the N.D.P.S. Act.

3. As per the First Information Report a total quantity of 53.5 K.G. Ganja has been recovered from the vehicle owned by the petitioner, which was being driven by his son.

4. Learned counsel for the petitioner submits that petitioner was not aware about the fact that Ganja was being carried in the vehicle owned by him. The son of the petitioner had taken the vehicle for some other purpose and Ganja has been recovered, belonging to one Aditya Tiwary.



5. Having heard learned counsel for the parties, taking into consideration the fact that petitioner is the owner of the vehicle, which was being driven by his son, as such knowledge and control of the petitioner over the seized contraband can't be ruled out. The commercial quantity of Ganja has been recovered from the vehicle owned by the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

6. The application is rejected.

(Anil Kumar Sinha, J)

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