

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60865 of 2023

Arising Out of PS. Case No.-49 Year-2023 Thana- LADANIA District- Madhubani

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Satrughan Kumar Yadav @ Shatrughan Kumar Yadav, aged about 28 years,
(male), son of Rajeshwar Yadav, resident of Village- Donwari, PS- Ladaniya,
Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Yadav, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Ladaniya PS Case No.49 of 2023 dated 06.03.2023, instituted
under Sections 20 and 22 of the NDPS Act.

3. The prosecution case, in short in that during
patrolling the informant, who is personnel of SSB Battalion,
saw that two motorcyclists were coming from Nepal towards
India at Indo-Nepal Border. On seeing the patrolling party, they
started fleeing and crossed Nepal border and fled away leaving
both the motorcycles. On search, 10.5 Kg. Ganja was recovered
from the motorcycle. Both the motorcycles were accordingly
seized.



4. Learned counsel for the petitioner submits that the petitioner is innocent and no occurrence as alleged as ever taken place. Petitioner has been made accused only because he is the owner of one of the motorcycles bearing registration no. BR 07 R 5730. It is further submitted that the petitioner sold the said motorcycle to Kunal Chaudhary on 24.11.2015, whereas, the occurrence has taken place on 06.03.2023. The petitioner had executed transfer paper and handed over the same to Kunal Chaudhary for transfer of ownership, but he did not take any step for transfer of ownership.

5. Learned APP has opposed the prayer for bail.

6. Since the petitioner is the owner of motorcycle from which 10.5 Kg. *Ganja* was recovered, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, prayer of the petitioner for grant of bail is rejected.

8. The application stands disposed of.

(Khatim Reza, J)

J. Alam/-

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