

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65609 of 2022

Arising Out of PS. Case No.-3 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

=====

AJAY KUMAR Son of Paras Nath Prasad Resident of village - Dahiyawan
Braham Toli, P.S. - Chapra Town, District - Saran

... .. Petitioner/s

Versus

The Union of India Through Narcotics Control Bureau Government of India

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ankur Prakash Sinha Mr.Akash Raj
For the Opposite Party/s :		Mr.K.N. Singh(A.S.G.)
For NCB (UOI)	:	Ms.Renuka Sharma Mr.Rajni Kant Singh Mr.Rakesh Kumar Mr.Manish Kumar

=====

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

ORAL ORDER

5 21-04-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with NDPS Case No. 11 of 2020, arising out of F.N. NCB/PZU/V/03/2020, registered for the offences punishable under Sections 8, 20(b) (ii) (c), 25 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985.

As per allegation, the members of Seema Suraksha Bal got an information on 17.02.2020 that some miscreants, who are indulged in drug trafficking and dealing in narcotic substances were passing by. On that information, the SSB personnel intercepted the Scorpio vehicle and from that vehicle, 50kg of



Charas was recovered. The petitioner was present in that vehicle.

The learned counsel for the petitioner has submitted that the alleged contraband was not recovered from conscious possession of the petitioner. She has submitted further that the search and seizure was not conducted as per law. Except confessional statement, there is nothing against the petitioner. The petitioner is under custody since 19.02.2020.

On the other hand, the learned counsel for the NCB has opposed the prayer for bail and submitted that the quantity of recovered *Charas* from the vehicle, whereby the petitioner was travelling, was more than commercial quantity. He was arrested and his confessional statement is led to recovery. He has submitted further that petitioner has a criminal history as mentioned in paragraph no. 3 of the bail petition. He has also submitted that CDR collected during course of investigation also reveal complicity of the petitioner.

Considering the materials collected during course of investigation, I am not inclined to release the petitioner on bail, which is hereby rejected.

(Nawneet Kumar Pandey, J)

kundan/Nirmal

U		T	
---	--	---	--

