

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65927 of 2023

Arising Out of PS. Case No.-34 Year-2021 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Sitamarhi

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Prem Kumar, Son Of Late Shivji Thakur Resident Of Village- Jale (WEST),
Ward No. 4, P.S- Jale, Distt- Darbhanga

... .. Petitioner/s

Versus

1. The Union Of India through The Secretary, Ministry Of Home, Narcotics
Drugs Control Bureau, New Delhi
2. The State Of Bihar through The Dept. Of Narcotic Drugs Control Bureau,
Patna, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.
For the Opposite Party/s : Mr. K.N. Singh (A.D.S.G)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
C2 Case No. 03/2021 lodged under Sections 8(C), 20(b)(ii)(c),
25 and 29 of the NDPS Act, 1985 vide NCB Crime No. 34 of
2021.

3. As per the prosecution case, on 29.12.2021 after
receiving confidential information about smuggling of *ganja*
from Nepal to India, a raid was conducted near Gorari Parhihar
chowk where one tractor was intercepted as per information and
total 275 kgs. of *ganja* in total 20 packets were recovered from
the said tractor followed with seizure list. The present petitioner



Prem Kumar was driving the said tractor and one Rajesh Mahto was sitting upon the tractor.

4. Learned counsel for the petitioner submits that the antecedent of the petitioner is clean and he is in custody since 30.12.2021.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that 275 kgs. of *ganja* was recovered which is very huge in quantity.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with C2 Case No. 03/2021 vide NCB Crime No. 34 of 2021, pending before the learned 2nd Additional Sessions Judge-cum-Special Judge, NDPS Act, Sitamarhi is hereby rejected.

(Dr. Anshuman, J.)

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