

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13020 of 2024

Arising Out of PS. Case No.-22 Year-2022 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Vaishali

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Md. Tausir S/o Md. Umar R/o Vill - Mauja Pakri, P.S. - Belsar, Dist. - Vaishali

... .. Petitioner/s

Versus

The Union of India through NCB Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mrs. Vaishnavi Singh, Adv.
For the Opposite Party/s :		Mr.Dr. K.N Singh (Asg)

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and learned
counsel for the N.C.B.

2. The petitioner seeks bail in connection with N.C.B.
Case No. 22 of 2022 instituted for the offences punishable under
Sections 8(c), 20(b)(ii)(c), 25 and 29 of the N.D.P.S. Act.

3. As per prosecution case, the petitioner was
apprehended on the spot and upon search total 228 kg ganja was
recovered from a Tata Truck and the petitioner was said to be
driver of the alleged Truck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. Petitioner has no concern
with the alleged recovery of ganja. Nothing incriminating article



has been recovered from his conscious possession. Petitioner is in custody since 11.11.2022.

5. Learned counsel for the N.C.B. has vehemently opposed the prayer for bail.

6. From perusal of the F.I.R., complaint petition, search and seizure list and other materials available on record, it appears that total 228 Kg ganja recovered from the Truck bearing Registration No. BR06 GE 5489 and petitioner was apprehended on the spot and accordingly, seizure list prepared by N.C.B. authority. The recovery of said ganja is much more than commercial quantity. Petitioner has criminal antecedent.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant bail to the petitioner.

8. Prayer for regular bail of the petitioner is hereby rejected.

9. Learned trial Court is directed to conclude the trial preferably within two years from the date of receipt of the order.

(Ramesh Chand Malviya, J)

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