

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33183 of 2024

Arising Out of PS. Case No.-95 Year-2023 Thana- MOTIPUR District- Muzaffarpur

Niraj Kumar Son of Raghu Nath Sah Resident of village - Kathaia, P.S.-
Kathaia, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra
For the Opposite Party/s : Mr.J.N. Thakur

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

ORAL ORDER

4 21-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Motipur P.S., FIR No. 95 of 2023, registered for the offences punishable under Sections 8, 20, 22 and 29 of the NDPS Act.

3. As per allegation, 120 kg of *ganja* was recovered from Tata truck, bearing registration no. BR06GF-4088. Two persons began to flee away, after getting down from the truck. The driver of the truck was apprehended who disclosed his name as Nunua Thakur and he also disclosed the name of the petitioner, who escaped from the place of occurrence. He also confessed that at the order of co-accused Vikash Kumar



Sahabuddin and Raj Kumar, they were carrying *ganja* which was to be delivered in Motihari.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He is a person of clean antecedent. He was not arrested at the spot. Nothing was recovered from his possession and he is under custody since 15.04.2023.

5. On the other hand, the learned APP for the State Sri J.N. Thakur has opposed the prayer for bail and submitted that the petitioner was travelling in the truck wherefrom 120 kg of *ganja* was recovered. The driver of the truck disclosed the name of the petitioner.

6. The FIR itself shows that huge quantity of ganja was recovered from the truck and the petitioner became successful in fleeing away.

7. Considering the above-mentioned facts and circumstances, the petitioner does not deserve the privilege for bail, which is hereby rejected.

(Nawneet Kumar Pandey, J)

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