

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48449 of 2023

Arising Out of PS. Case No.-13 Year-2020 Thana- D.R.I District- Patna

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ARUN KUMAR YADAV Son of Kailash Yadav Resident of Village -
Gewalganj P.O. Nima Anjan, P.S.- Madanpur, District - Aurangabad, State -
Bihar.

... .. Petitioner/s

Versus

The Union of India through the Directorate of Revenue Intelligence Unit
(D.R.I.), Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha

For the Opposite Party/s : Mr.K.N. Singh(A.S.G.)

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 23-01-2024 Heard learned counsel for the petitioner and

learned counsel appearing for DRI.

2. The petitioner has prayed for grant of regular in
Spl. Case No. 161 of 2020 arising out of DRI F. No.
DRI/LZU/PRU/718(II) ENQ-13/2020 (DRI, Patna Unit
Case No. 10/2020-2021) registered for the offence
punishable under sections 20, 25, 29 of the N.D.P.S. Act.

3. As per F.I.R., prosecution case relates to
recovery of Ganja like contraband substance i.e. 1900.68
kg from a maize loaded truck. The alleged ganja like
substance were kept in 382 pockets, kept hidden beneath the
loaded maize sack.



4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery of *ganja* like contraband substance. It is further submitted that provision of N.D.P.S. Act has not been followed properly. Petitioner is a driver and on instruction of owner, he was driving the maize loaded truck without knowing the contraband item loaded over it. Moreover, the petitioner has got no criminal antecedent and languishing in judicial custody since 20.11.2020.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner was apprehended on spot with huge quantity of ganja which was kept hidden in maize loaded truck. The alleged quantity I.e. 119.68 kilogram comes beyond the commercial quantity. AS per Test Report of CRCL, Kolkata bearing Lab No. 2165-2174/SZD/(N)-373-382 dated 24.11.2020, the samples under reference gave positive test for Ganja.

6. Having heard the learned counsel for the parties



and considering the quantity of the contraband substance is beyond commercial quantity, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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