

Arising Out of PS. Case No.-20 Year-2022 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

... .. Petitioner/s

The Union of India through N.C.B., Patna Branch, Patna Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Majid Mahboob Khan, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Pandey, Sr. CGC
Mr. Arvind Kumar, CGC

ORAL ORDER

2. The petitioner seeks bail in connection with Case No.20 of 2022 registered for the offence under 20(b)(ii)(c), 25, 28, 29 and 35 of the NDPS Act.

3. Allegation against the petitioner is to have involved in illegal business of contraband like 'Ganja', where, there is recovery of total 337 K.G. of contraband like 'Ganja' from a container truck bearing registration no.RJ-11GA5291, in presence of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case, merely on the basis of suspicion.



It is submitted that recovery of alleged contraband like 'Ganja' was not made from possession of the petitioner, where, petitioner is *Khalasi* of the said container truck. It is further submitted that the petitioner has no concern with the alleged recovery of contraband like 'Ganja'. It is further submitted that there is violation of Section 50 of the NDPS Act, as mandatory provision was not complied with at the time of search and seizure. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 07.09.2022.

5. Learned counsel appearing for the Union of India, opposes the prayer for bail of the petitioner and submitted that the recovery of contraband like 'Ganja' is more than commercial quantity.

6. In view of the allegations and petitioner is Khalasi of the said container truck, who confessed before the authority regarding possession of said contraband like 'Ganja' and recovered quantity of contraband like 'Ganja' is more than commercial quantity, this Court is not inclined to grant bail to the petitioner, at present.

(Ramesh Chand Malviya, J)

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