

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53060 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- BAUNSI District- Araria

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1. Vikky Mahto S/o- Shambhu Mahto Village- Bausi Ps- Bounsi Dist- Araria
 2. Prabhu @ Prabhu Mahto Late Jagdish Mahto Village- Radha Nagar Ps- Kasba Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Yadav, Adv.
For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 06-08-2024

1. Heard the parties.

2. Petitioners seek regular bail in connection with Baunsi P.S. Case No. 71 of 2024 dated 17.04.2024 registered for the offence(s) punishable under Section(s) 20 and 22 of the N.D.P.S. Act.

3. Mr. Binod Kumar Yadav, learned counsel for the petitioner submits that the instant matter relates to the recovery of 25.500 Kgs. of narcotic material suspected to be *Ganja* from a tempo vehicle and as per allegation, both the petitioners were found sitting in the said vehicle but in fact, the petitioner No.1 was travelling in the said vehicle as passenger and petitioner No.2 was driver of the alleged vehicle and both had no knowledge regarding the seized contraband which was found in



the alleged tempo vehicle. It is further submitted that both the petitioners have fair and clean antecedent and they are languishing in jail since 18.04.2024.

4. Mr. Aslam Ansari, learned APP appearing for the State opposes the bail prayer of the petitioners and submits that the instant matter relates to the recovery of commercial quantity of narcotic contraband (Ganja) and both the petitioners were apprehended at the spot from the alleged vehicle from which the alleged contraband was recovered.

5. Having considered the recovery of commercial quantity of the alleged narcotic material and the same is said to have been recovered from the tempo and as per prosecution's story, both the petitioners were found sitting in the said vehicle, in my opinion, it is not a fit case for bail to the petitioners. Accordingly, their prayer stands rejected.

(Shailendra Singh, J)

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