

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80723 of 2024

Arising Out of PS. Case No.-47 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Jai Ram Son of Bundela Ram Resident of Village-Maksudpur, P.S.- Fatuha,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anshul, Advocate
		Mr. Anuj Kumar, Advocate
For the Opposite Party/s :		Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-12-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise (N.D.P.S.) Case no. 47 of 2021 registered under sections 8, 20(b)(ii)(c) of the N.D.P.S. Act.

3. As per the prosecution case, 500 kgs of *ganja* was recovered from a truck and the petitioner who was the driver of the said truck was taken into custody at the time of recovery of the said *ganja*.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He is a professional driver who was handed over a loaded truck. He did not know the contents of the goods loaded. It is further



submitted that the owner of the truck has been enlarged on bail vide order dated 17.5.2024 passed in Cr. Misc. no.37308 of 2024. Referring to the said order, learned counsel submits that charge has been framed in the learned trial Court. The petitioner is in custody since 3.6.2021 and undertakes to cooperate in the case. Referring to Annexure-3 it is submitted that the petitioner is ill and suffering from H.I.V.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation of recovery of 500 kgs of *ganja* from the truck which was being driven by this petitioner and the petitioner having been arrested on the spot at the time of seizure of the *ganja* together with the trial having commenced in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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