

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81522 of 2023

Arising Out of PS. Case No.-183 Year-2023 Thana- BAUNSI District- Banka

Chhotu Yadav Son Of Arjun Yadav Resident Of Village - Babu Barhan Tola
Saheb Diyara, P.S. - Munger Muffasil, District - Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Ms. Devika Rani, Advocate
For the Opposite Party/s	:	Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Bounsi P.S. Case No. 183 of 2023, lodged on 27.06.2023, under
Sections 8/20(b)(ii)(c)/25/29 of the N.D.P.S. Act.

3. As per the prosecution, total recovery of 301.630
Kgs of Ganja has been the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that petitioner is the driver of the Mini Truck and he is
completely unaware that what was loaded in the truck. In the
FIR, he has stated that in confessional statement that one Raj
Kishore Yadav has asked him to do so and, therefore, he was



driving the truck. Counsel further submits that the truck was seized at 11.30 AM but the seizure-list was prepared at about 4.00 PM. Counsel further submits that petitioner is neither owner nor Khalasi nor the consignee of the articles loaded on the truck. The antecedent of the petitioner is clean. He is in custody since 28.06.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that the Ganja recovered is of commercial quantity, FSL report has been demanded on early occasion and FSL report indicates that the material is narcotic substance.

6. In this background, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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