

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1122 of 2024

Arising Out of PS. Case No.-17 Year-2021 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Begusarai

Reshu Kumar @ Rishu Kumar @ Rishu Ray S/O Parmanand Ray, R/O
Village- Mohanpur, P.S- Raghopur, Distt.- Vaishali, Bihar.

... .. Petitioner

Versus

The Union of India Through NCB, Patna. Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Surendra Kumar Singh, Advocate
For the UoI	:	Mr. Awadhesh Kr. Pandey, Sr. CGC
		Mr. Arvind Kumar, CGC
		Mr. Lokesh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-07-2024 Heard Mr. Surendra Kumar Singh, the learned
counsel for the petitioner and Mr. Awadhesh Kumar Pandey, the
learned Senior CGC for the Union of India.

2. Petitioner seeks regular bail who is in custody since
29.07.2021 in connection with NDPS Case No. 22 of 2021,
arising out of NCB Crime Case No. 17 of 2021, registered for
the offences punishable under Sections 8(C), 20(B)(ii)(c), 25
and 29 of the NDPS Act.

3. Earlier the petitioner has moved before this
Hon'ble Court in Cr. Misc. No. 29991 of 2022, which was
rejected vide order dated 24.08.2022.

4. According to the prosecution case, the informant,



upon receiving secret information about a truck bearing registration no. ASOIG C 1146 is loaded with huge quantity of *ganja*, reached at Murli Tol Plaza along with team and two independent witnesses. It is further alleged that the aforesaid truck was stopped by the team and a search was made out in presence of two independent witnesses and thirty-nine packets of contraband was recovered from false cavity of the truck. It is further alleged that the driver namely, Dinesh Rai and *Khalasi* / Conductor namely, Rishu Kumar were arrested.

5. As per allegation in the FIR, altogether 200.500 kg of *ganja* has been recovered from the truck in question and petitioner is *khalasi* of the said truck in question. He further submits that petitioner has no concern at all with the alleged recovery and he had no knowledge about the contraband that was recovered from the truck in question.

6. The learned counsel appearing on behalf of the Union of India on the other hand submits that upon perusal of the seizure list, it appears that altogether 200.500 kg of *ganja* was recovered from the truck in question, apart from that, FSL report also confirms that the allegedly recovered contraband is indeed *ganja*.

7. Vide order dated 12.01.2024, a report was called



for with regard to the stage of the trial and the report of the learned trial Court dated 18.01.2024, reveals that out of five chargesheeted witnesses, two witnesses have already been examined.

8. Considering the report of the learned trial Court as well as the quantity of the recovered contraband, I am **not** inclined to enlarge the petitioner on bail in connection with NCB Crime Case No. 17 of 2021, Begusarai, pending in the Court of learned The 1st Additional District & Sessions Judge, Begusarai.

9. Prayer is refused.

10. However, the learned trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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