

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5442 of 2024

Arising Out of PS. Case No.-70 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Harprit Singh SON OF AVTAR SINGH Ro village -Shivpuri city, Ambala
City, PS -Baldev Nagar, Dist -Ambala Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey
For the Opposite Party/s : Md. Aslam Ansari

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 05-04-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Excise Case No.(NDPS) 70 of 2021 registered for the offence
under Sections 8/20(b) II, C of the NDPS Act.

3. As per FIR, there is recovery of 144 k.g.
Ganja from a truck bearing registration no.HR37D7783.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, petitioner is driver of the
said truck. It is submitted that recovery of alleged recovery of
Ganja was not made from conscious physical possession of this
petitioner rather same was recovered from the alleged truck and



he has no concerned with the alleged *Ganja* as well as said truck. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 19.09.2021.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner and submitted that the quantity of recovered *Ganja* is more than commercial quantity.

6. In view of the submissions and allegation, as made above, as it appears from seizure list that the alleged recovery was made from conscious physical possession of this petitioner and the recovered quantity of *Ganja* is more than commercial quantity, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

8. Learned trial court is directed to conclude the trial of this case, preferably, within a period of one year from the date of receipt of a copy of this order.

(Ramesh Chand Malviya, J)

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