

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3722 of 2025

Arising Out of PS. Case No.-1 Year-2024 Thana- D.R.I District- Muzaffarpur

Md. Nasir S/o Late Md. Sahhoor R/o Mohalla- D-201, T. G. Road, P.S.-
Garden Rich Colcatta, District- South 24 Pargana

... .. Petitioner/s

Versus

The Union of India through I.O.,D.R.I. India

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Adv
For the Opposite Party/s : Mr. Sanchay Srivastava, Sr. SC (DRI)
Mr. Ankit Kumar Singh, Jr. SC (DRI)
Mr. Sushant Srivastava, Adv
Mr. Ashish Kumar Palit, Adv

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

ORAL ORDER

4 12-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with

NDPS Case No. 191 of 2024 arising out of DRI Case No.

01/2024-25 dated 30.05.2025 registered for the offences

punishable under Sections 20, 25, 29 of the NDPS Act

3. Prosecution story in short is that on complying on

secret information, one truck was intercepted in which is was

found that some packets containing the substance believed to be

Ganja are concealed in boxes under and beside the driver's seat

and beneath the trailer of the said truck. In detailed examination

of the said vehicle, total 27 packets containing the substance



believed to the Ganja were recovered from the box weighing gross 137.5 Kgs and net 133.5 kgs were recovered. The recovered substance believed to be Ganja valued at Rs. 26, 70, 000/- and Tata Truck attached with trailer bearing registration no. NL-01 N9682 used as conveyance valued at Rs. 15,00,000/- were seized under Section 43(a) of the NDPS Act, 1985 on 29.05.2025. It also appears from DRI that all six intercepted persons and their statement tendered under Section 67 of the NDPS Act, 1985 three intercepted persons of them namely Md. Nasir, Anil Kumar and Manohar Ray @ Alias are found deeply involved in illegal activities and they also admitted their guilt and knowledge for conscious possession, carriage and transportation of the seized Ganja in lure of money.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that nothing recovered from the possession of the petitioner. He further submits that alleged truck was seized at Maithi Toll Plaza and the Seizure list was prepared at the DRI Office, Muzaffarpur which is totally violation of Section 50 of the NDPS Act. He further submits that petitioner is the driver of the vehicle from which Ganja has been recovered. It is also submitted that petitioner is in judicial custody since 29.05.2024



having clean antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order dated 28.11.2024, it appears that all six intercepted persons and their statement tendered under Section 67 of the NDPS Act, 1985 three intercepted persons of them namely Md. Nasir, Anil Kumar and Manohar Ray @ Alias are found deeply involved in illegal activities and they also admitted their guilt and knowledge for conscious possession, carriage and transportation of the seized Ganja in lure of money and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the bail application of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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