

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20685 of 2025

Arising Out of PS. Case No.-13 Year-2024 Thana- D.R.I District- Muzaffarpur

Pankaj Yadav S/o- Virendra Singh Village- Akmadpur Ps- Karhali Po- Dihuli
Dist- Mainpuri U.P

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. The Union of India through NDPS Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP
For the O.P. No. 2 : Mr. Amit Pandey, Sr. S.C.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 31-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with NDPS
Case No. 106 of 2024 arising out of DRI P.S. Case No. 13 of
2023-24 instituted for the offences under Sections 20(b)(ii)(c),
25 and 29 of the NDPS Act.

3. The accused Pankaj Yadav along with one Shilu
Kumar was found transporting 486.92 Kg of Ganja in a truck
intercepted by DRI officials at Mithi Toll Plaza.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 14.01.2024 and



has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Learned counsel further submitted that the recovery has been made from the truck which does not belong to the petitioner and the same belongs to one Akhilesh Yadav who runs a transport company and the petitioner works as a driver in his company and, on the alleged date, the vehicle owner ordered the petitioner to transport the contraband.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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