

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33090 of 2025

Arising Out of PS. Case No.-220 Year-2022 Thana- KASIMBAZAR District- Munger

Guddu Kumar Yadav @ Guddu Yadav son of Late Ramlakhan Yadav resident
of Village- Prijpura, PS- Shakurabad, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Saurabh, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-06-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with N.D.P.S Case no.8 of 2022, arising out of Kasim Bazar P.S. Case no.220 of 2022, registered under sections 8, 20(b)(ii)(C), 25 and 29 of the NDPS Act.

3. As per the prosecution case, on a search being conducted of the truck in question, three accused persons including the petitioner herein who happens to be the driver of the vehicle in question were taken into custody. It is further stated that besides other articles, a total of 206.8 kgs of *ganja* was recovered from the vehicle being driven by this petitioner. On enquiry, the accused persons who were caught disclosed that the *ganja* belonged to co-accused Banti Kumar.



4. Learned counsel for the petitioner submits that the petitioner who happens to be the driver of the vehicle has been falsely implicated in the case. As would be evident from the contents of the FIR, the *ganja* belonged to co-accused Banti Kumar who has been enlarged on bail vide order dated 17.1.2025 passed in Cr. Misc. no.90239 of 2024. The petitioner is in custody since 11.8.2022 and charge has been framed in the learned trial Court. He undertakes to cooperate in the trial.

5. The application for bail is opposed by learned APP for the State, who submits that the petitioner who happens to be the driver of the vehicle was arrested on the spot and 206.8 kgs of *ganja* recovered from the truck in question. It is further submitted that so far as grant of bail to Banti Kumar is concerned, though his name was taken by the co-accused, however the said Banti Kumar was not arrested on the spot. The trial has commenced in the learned trial Court and three out of six chargesheet witnesses have been examined. As such it is submitted that with the recovery of huge quantity of *ganja*, the petitioner be not enlarged on bail. Learned counsel further submits that the seized article has been found to be *ganja* in the report of Forensic Science Laboratory.

6. A report was called for from the learned trial Court.



As per the report received contained in letter dated 4.6.2025 of the Principal District & Sessions Judge, Munger, three out of six chargesheet witnesses have been examined on behalf of the prosecution.

7. Having heard learned counsel for the parties and taking into consideration the allegation of recovery of 206.8 kgs of *ganja* from the truck in question being driven by this petitioner together with the petitioner having been arrested at the spot and the trial having been commenced in the learned trial Court with three out of six chargesheet witnesses having been examined in course of trial, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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