

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42355 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- KHODAWANDPUR District- Begusarai

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Manoj Tanti son of Jatadhari Tanti @ Jardhari Tanti Resident of Village-
Bachhauta (Rabri Nagar) PS- Morkahi (Chitraguptnagar OP), District
-Khagaria

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Shekhar Kumar Singh, Advocate
For the State : Mr. Sanjay Kumar Tiwary, APP
For the Union of India : Ms. Shail Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-09-2025 Heard learned counsel appearing on behalf of the

petitioner, learned A.P.P. appearing on behalf of the State and

learned counsel appearing on behalf of the Union of India.

2. The petitioner seeks bail in a case registered for the

offence punishable under Sections 8, 20(b)(ii)(c) and 29 of the

Narcotic Drugs and Psychotropic Substances Act.

3. As per prosecution case, 105.300 Kgs of *Ganja* like

substance was recovered from the seized car of which this

petitioner is driver.



4. It is submitted by learned senior counsel for the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from conscious possession of this petitioner and has been made an accused in this case merely because he happens to be driver of the vehicle in question. As a matter of fact, without the knowledge and consent of this petitioner, the alleged contraband were kept in the car. Moreover, in the seizure list, there is no independent witnesses. It is lastly submitted that there is non-compliance of Sections 42 and 50 of the N.D.P.S. Act. Charge-sheet has already been submitted that petitioner, having no criminal antecedents, is in custody since 24.12.2024.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the Union of India have vehemently opposed the prayer for grant of bail to the petitioner and submitted that petitioner is named in the F.I.R. and huge quantity of contraband substance were recovered from the seized vehicle of which this petitioner is driver.

6. Considering the facts and circumstances of the case, nature of accusation and recovery of huge quantity of



contraband, the prayer for grant of bail to the petitioner is
rejected.

(Prabhat Kumar Singh, J)

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