

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59632 of 2024

Arising Out of PS. Case No.-336 Year-2024 Thana- Excise P.S. District- Aurangabad

RAHUL SINGH SON OF RAJENDRA SINGH RESIDENT OF KALI BARI
MOHALLA, SHYAMGANJ CHAURAH, P.S. - WARADARI, DISTRICT -
BAREILY (UTTAR PRADESH)

... .. Petitioner/s

Versus

1. THE UNION OF INDIA THROUGH DIRECTOR NATIONAL
NARCOTICS DEPARTMENT BIHAR, PATNA BIHAR
2. THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate. Mr. Adarsh Singh, Adv.
For the Opposite Party/s	:	Mr.K.N. Singh(A.S.G.)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 21-01-2025 Heard Mr. Y. C. Verma, learned Senior Counsel for
the petitioner. There is no appearance from the other side.

2. The petitioner is in judicial custody in connection
with Aurangabad Excise P.S. Case No. 336 of 2024 for the
offences punishable under sections 15(c), 25 and 37 of the
NDPS Act, lodged on 14.04.2024 by the informant.

3. As per the prosecution story, the police during
search of vehicle intercepted a Tata Container and there is
recovery/seizure of 1517.416 Kilograms of Doda kept in 150
bags in five lots. The petitioner who was driving the vehicle was
taken into custody and according to his information, it was to be
delivered in Delhi having been loaded at Ranchi. Accordingly,



the FIR.

4. Though learned Senior Counsel for the petitioner tried to impress upon the Court that he being the driver had no knowledge about the present of the Doda, a bare perusal of the FIR would show that such a huge quantity in 150 bags kept in five lots cannot be carried in a container unless the Driver has the knowledge. Since the commercial quantity is only 50 Kilograms, the recovery/seizure is of 1517.416 Kilograms of Doda, no relief can be granted and the petition, accordingly, stands rejected.

5. Since the petitioner is in custody, he is entitled to speedy trial and as such, the court concerned shall see to it that it is taken up at an earliest.

(Rajiv Roy, J)

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