

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50795 of 2025

Arising Out of PS. Case No.-14 Year-2022 Thana- GALGALIYA District- Kishanganj

Himanshu Roy, S/o Akhil Roy, R/o Sibnathpur, Falakatta, P.S.- Falakatta,
District- Alipurdwar, State- West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-08-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Galgaliya P.S. Case No. 14 of 2022 registered for the offences punishable under Sections 8/20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act.

3. On a secret information, the police intercepted a Bolero Pick-Up Van, bearing registration No. WB69A 4074, and apprehended the driver, who was riding the vehicle. In course of search, total 156.700 Kg *Ganja* was recovered, which was concealed in the heap of vegetables. The apprehended driver disclosed that the incriminating narcotic substance have been kept by the owner of the vehicle. The name of the petitioner has been implicated in the present case on account of he being the owner of the vehicle.

4. Learned Advocate for the petitioner contended that



the vehicle, in question, was being run for the purposes of carrying goods and the petitioner was not even aware as to what goods were carried by the driver without his consent. The statement of the driver recorded before the police implicating the petitioner has no evidentiary value, inasmuch, as during the course of investigation no other cogent material has come suggesting the complicity of the petitioner. There are various other infirmities in search and seizure, as required under the NDPS Act.

5. On the other hand, learned APP for the State opposes the bail application and submits that the petitioner is the owner of the vehicle, in question, from which a huge quantity of Ganja was recovered.

6. Considering the submissions set forth by the learned Advocate for the respective parties and taking note of the fact that 156.700 Kg *Ganja* was recovered from the vehicle of which the petitioner is the owner, this Court is not persuaded to the prayer for grant of anticipatory bail of the petitioner. Accordingly, the same stands rejected.

(Harish Kumar, J)

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