

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65862 of 2025

Arising Out of PS. Case No.-207 Year-2024 Thana- AMAS District- Gaya

Pradeep Kumar Choudhary @ Pradeep Kumar Son of Jeha Ram Resident of
Village and Post Office - Khariya Khurd, P.S.- Rageshwari Gas Terminal
Nagar, Nokhara, District - Barmer, State - Rajasthan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Kumar, Adv.

For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and Mrs.
Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with Amas
P.S. Case No. 207 of 2024 instituted for the offences under
Sections 8/17(c)/18(c) of the N.D.P.S. Act.

3. As per prosecution case, the police has recovered
total 3279.170 Kg. Doda contained in 127 packets from the
Truck bearing Regd. No. RJ04GB1692.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel for the petitioner submits that the
petitioner is a *Khalasi* of the alleged Truck and has been made
escape goat in this case. The petitioner has no concern with the



seized contraband and was not aware of the same being loaded on the alleged Truck. He further submits that Doda neither comes within the purview of intoxicating material nor the same is attracted under the alleged Sections of the NDPS Act. Charge-sheet has been submitted in this case. The charge has also been framed in this case. Petitioner is in custody since 09.07.2024 and has got not criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. There is also non-compliance of Section 103 & 105 of the B.N.S.S., 2023

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that huge amount of contraband narcotics material i.e. Doda has been recovered from the alleged Truck on which the petitioner was boarded. He further submits that the recovered contraband is above the commercial quantity and, 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 with a direction to the learned court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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