

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76837 of 2024

Arising Out of PS. Case No.-308 Year-2024 Thana- NAWADA District- Nawada

Ravi Ranjan Kumar @ Ravi Ranjan Singh @ Ravi Ranjan Kr. S/o- Mithilesh Singh @ Mithilesh Singh Resident of Village- Baghom PS- Govindpur, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 13-02-2025 Heard learned counsel for the petitioner and learned APP

for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Nawada Town P.S. Case No. 308 of 2024 instituted for the offences under Sections 8/20(b)(ii)(c)/22/29 of the N.D.P.S. Act.

3. Prosecution allegation, in short, is that total 61 Kg of Ganja has been recovered from cabin of the truck and, in course of investigation, another seizure list was prepared, in which, 176 Kg Ganja was recovered from the same truck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is in custody since 25-04-2024 and has got no criminal antecedent. Charge-sheet has been submitted



in this case. There is no allegation of tampering of witnesses alleged against the petitioner. Name of the petitioner has surfaced in this case on the confessional statement of driver of the vehicle namely Subodh Paswan. The petitioner is neither driver nor Khalasi of the truck, in question and, as per confessional statement of the driver of the vehicle, he is not the owner of the vehicle. As per confessional statement of the co-accused, Sashi Bhusan Sharma is the owner of the alleged vehicle. The petitioner was not arrested on spot and nothing incriminating has been recovered from his physical/conscious possession. Learned counsel further submits that there is complete violation of Section 50 of the N.D.P.S. Act. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. submits that 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 as also the petitioner being a member of the criminal



conspiracy, this Court is not inclined to grant bail to the petitioner.

7. The prayer is *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

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