

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73934 of 2024

Arising Out of PS. Case No.-6 Year-2022 Thana- D.R.I District- Muzaffarpur

Yogesh Kumar @ Yogesh Kumar Singh Son of Rajendra Singh R/O Vill.-
Dhaneta Post- Meerganj P.S.- Fatehganj, Dist.- Bareilly, U.P.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India Through D.R.I Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Anuj Kumar
For the State	:	Mr.Dr.Mrityunjaya Kr.Gautam
For the Informant	:	Mr. Ankit Katriar, Sr. Standing Counsel, DRI Mr. Ankit Kumar Singh, Jr Standing counsel

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

12 31-01-2026 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with NDPS Case No. 32 of 2023 arising out of DRI Case No. 06/2022-2023 registered for the offences punishable under Sections 20, 25, 29 of the NDPS Act.

3. As per prosecution case, 386.9 kgs of ganja is alleged to have been recovered from a truck loaded with bamboo. It is alleged that the petitioner Yogesh Kumar @ Yogesh Kumar Singh, along with co-accused Deepak Bajaj was involved in possession and transportation of the said contraband. It is further alleged that the petitioner disclosed the involvement of co-accused Pawan Singh in procuring and loading the seized ganja.



4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing was recovered from the conscious possession of the petitioner. He has further submitted that the co-accused namely, Deepak Baza @ Deepak Bajaj and Pawan Singh @ Pawan singh have been granted bail by a co-ordindate Bench of this Court.

5. On the other hand, the learned APP for the State and the learned counsel for the informant have opposed the prayer for bail and submitted that the seized contraband is of commercial quantity. They further submitted that the contraband was recovered from the truck in which the petitioner along with other co-accused person was found sitting. The case of the petitioner cannot be equated with the case of co-accused, who has been granted bail because the petitioner is owner-cum-driver of the truck and was found sitting in the truck in question, whereas the co-accused, who has been granted bail is helper of the driver.

6. Considering the above-mentioned facts and circumstances as well as the gravity of the allegation, I do not think it to be a fit case for bail, which is hereby *rejected*.

(Nawneet Kumar Pandey, J)

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