

IN THE COURT OF SESSIONS JUDGE, GAYA

I. A. 01/2021

N. D. P. S. Case No. 31/2020

Ajit Kumar Vrs. State of Bihar

22.01.2021 The present regular bail petition has been filed on behalf of the accused/petitioner Ajeet Kumar who is in judicial custody since 20.10.2020 in connection with Amas P. S. Case No. 154/2020 U/s 15(C) of N.D.P.S.Act.

Case of prosecution, in brief, as per written report of the informant Police S. I. is that on 02.08.2020 at about 10.00 A.M., while he along with other police personnels and home guards were on patrolling duty and had reached near Raja Pool, he found a pick up van of white colour coming from west side, who tried to escape away fastly. Having doubt, the informant along with police personnels chased the same and in that course, near about Maulachak Petrol Pump, the driver made effort to jump from the vehicle and succeeded in fleeing away due to darkness of night followed by heavy rains. As such, after return, when he checked the pick up van informing the senior police officers and the Circle Officer of Amas, while villagers too had gathered, searched the vehicle in presence of the village witnesses like Raju Mandal and Shahid Raja, on search, amongst the several bags of paddy, several Doda sticks in about nine bags and about seven bags each containing 20 Kg. Total 191 Kg. Of Doda was recovered, which was seized after preparing the seizure list.

Learned Advocate for the petitioner has prayed for bail on the ground that the petitioner is innocent. His name has surfaced in self inculpatory confessional statement of the accused himself, while this petitioner was in judicial custody in connection with another Imamganj P. S. Case no. 168/20 dated 18.09.20 U/s 25 (1-B) A/26 Arms Act. In the statement, this petitioner has himself stated that on 02.08.20, he had fled away after abandoning pick up van in which Doda was loaded along with other bags.

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Learned Special P. P. (N.D.P.S. Act) for the State has opposed the prayer for bail and has submitted that about nine bags of Doda was recovered in which, out of 9, seven of them contained 18 Kg. each and 8th one was containing 33 Kg. Of Doda, total 191 Kg. Hence, the petitioner doesn't deserve bail.

Heard both the parties and perused the case record including case diary. From the case diary, it appears that the investigation is still going on. This petitioner is none but the driver of the said vehicle who was well aware of the articles loaded upon his pick up van. As such, in view of the large quantity of narcotic and psychotropic substance recovered from the petitioner's vehicle, I am not at all inclined to enlarge the petitioner of bail. From the record, it reveals that though investigation is pending against others but after finding sufficient material, the present petitioner has been charge sheeted.

In view of the above said facts, prayer for bail of the petitioner is rejected.

Dictated)

Sd/-

(P. R. Mishra)

Sessions Judge, Gaya