

In the Court of Addl. Sessions Judge-I, Gopalganj

Trial No. 54/2024

State Vrs Mantu Kumar Rai

Hathua P.S. Case No. 117/2024

Mantu Kumar Rai :----- Petitioner

V r s

The State of Bihar :----- Opposite party

Counsel for the petitioner :----- Sri Avadesh Kumar, Advocate

Counsel for the Opposite party :--Sri Lalan Dubey, Ld. P.P.

13-08-2025	Order	Remarks
	<p>Discharge petition dated 24.06.2025 filed on behalf of the accused-petitioner namely Mantu Kumar Rai against whom Charge-sheet no. 294/24 dated 30.10.2024 has been submitted under Sections 8/20(b)(ii)(B) NDPS Act.</p> <p>From the possession of the accused-petitioner 10.687 Kg of Ganja has been recovered. At this time the technicalities of the case cannot be seen. As a petition of the petitioner is that the rules of search and seizure has not been followed. The State through the Special Public Prosecutor has submitted rejoinder of the petition. He has also stated the same things. As per decision of the Hon'ble Apex Court in <u>Sajjan Kumar vs CBI [2010] 11 S.C.R. 669</u>, in which seven principles have been laid down for deciding the petition. The petition of the petitioner having no merits because he has been found in possession of 10.687 Kg of Ganja which is apparent from the case record. Case diary completely support the material for framing the charge against the accused-petitioner. Still FSL report is under awaiting as per paragraph number 56 of the case diary for which further investigation is kept pending.</p> <p>Therefore, the petition dated 24.06.2025 is hereby rejected.</p> <p style="text-align: right;">(Dictated)</p> <p style="text-align: right;">(Kailash Joshi) A.S.J.-I</p>	