IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No.8299 of 2022

Shankar Singh ..... … Petitioner

Versus

The State of Jharkhand …. …. Opp. Party

CORAM : HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioner : Mr. Jitendra Shankar Singh, Advocate
For the State : Mr. V.K. Vashistha, A.P.P.

04/14.10.2022 Heard learned counsel for the applicant and learned A.P.P. for the State.

This bail application has been filed on behalf of the abovenamed applicant with prayer to release on bail in connection with Chandwa P.S. Case No.26 of 2022 registered under Sections 20(b)(ii)(c) of the N.D.P.S. Act and Section 120-B of the Indian Penal Code pending in the court of learned Special Judge (N.D.P.S.), Latehar.

Learned counsel for the applicant has submitted that as per F.I.R. allegations, the truck bearing registration no.UP 87 T 5654 was intercepted by the police party which was being driven by Brajesh and the applicant Shankar Singh was the cleaner of the same. The owner of the truck was Vishal Sahu. On being searched, 794.8 k.g. ganja kept in 25 packets was recovered.

Learned counsel for the applicant has submitted that the applicant is the cleaner of the truck and he was not in conscious possession of the alleged loaded contraband. Moreover, this ganja was in 25 packets but sample was not taken from each packets which is in violation of the mandatory provisions of Central Government notification of the year 1989. The applicant has been languishing in jail since 11th March, 2022.

Learned A.P.P. appearing on behalf of the State vehemently opposed the contentions made by the learned counsel for the applicant and contended that applicant was the cleaner and he was very much in conscious possession of the contraband but failed to show that the sample was taken from each packets.

In view of the submissions made and materials on record, the bail application of the applicant is hereby allowed. Let the applicant be released on bail on furnishing bail bond of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the court concerned in aforesaid case.

(Subhash Chand, J.)

Rohit