

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55835 of 2018**

Arising Out of PS. Case No.-1 Year-2014 Thana- GOVERNMENT OFFICIAL COMP.  
District- Vaishali

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Sarvjeet Singh, Son of Sri Dilip Singh, Resident of Village- Rajbagh, P.S.-  
Rajbagh Hiranagar, District- Kathua (Jammu and Kashmir).

... .. Petitioner/s

Versus

Union of India through Bikas Kumar, Intelligence Officer, Patna Zonal Unit,  
67 Kautilya Nagar, P.O.- B.V. College, Patna, Narcotics Control Bureau,  
Ministry of Home Affairs, Government of India.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.S.D Sanjay Addl. Soc. Gen.

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

6      11-02-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is languishing in custody since  
26.05.2014 in a case registered for the offences punishable  
under Sections 8, 20, 25 & 29 of the NDPS Act.

The prosecution case as per the complaint filed by  
Narcotic Control Bureau, Patna is to the effect that on  
26.05.2014 at 5.00 P.M., information was received by the  
Bureau that through a truck, Ganja is being transported to Patna  
via Hajipur and the truck is likely to reach at Mahatama Gandhi  
Setu at 9.30 P.M., thereafter, a raiding team was constituted and  
at 11.00 P.M., the truck was intercepted at Paswan Chowk,



Hajipur and the driver and the cleaner were apprehended, who disclosed their name as Sarvjeet Singh and Abul Hassan and from the truck in question 213 kgs. Ganja in several packets were recovered. The statement of the driver and the cleaner were recorded.

It is submitted by learned counsel for the petitioner that the petitioner was driver of the truck in question but he was not aware about the contraband loaded on the truck in question. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned counsel for the Bureau that the commercial quantity of recovery has been made when the petitioner admittedly the driver admitted this fact that he has transporting this article.

Considering the recovery much more than of commercial quantity and keeping in view the embargo under Section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioner in C.A. No. 01 of 2014, arising out of N.D.P.S. Case No. C2A1 of 2014, pending in the Court of learned 1<sup>st</sup> Additional Sessions Judge, Vaishali at Hajipur.

Accordingly, the prayer for bail of the petitioner is rejected.



However, keeping in view the fact that the petitioner is in custody since more than four years, it is expected from the learned trial Court to conclude the trial expeditiously.

**(Dinesh Kumar Singh, J)**

DKS/-

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