

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47653 of 2019

Arising Out of PS. Case No.-17 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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HARJINDRA SINGH @ HARJINDER SINGH Son of Payara Singh
Resident of Village -Chigawan, P.S.- Chigwan, Distt - Amritsar, Punjab.

... .. Petitioner/s

Versus

UNION OF INDIA THROUGH THE DEPUTY DIRECTOR, NARCOTICS
CONTROL BUREAU D and E, Block, C G O Complex, Krapoori Thakur
Sadan, Rajiv Nagar, Patna Zonal Unit, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Chandra, Adv.
For the U.O.I.	:	Mr. Manoj Kumar Singh, C.G.C. Mr. Awadhesh Kumar Pandey, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 17-03-2020 Heard learned counsels for the petitioner and the

State.

The petitioner has renewed his prayer for bail in connectin
with Special Case No. 136 of 2017, arising out of F.No.
NCB/PZU/V /17/2017, registered for the offences punishable
under Sections 8(c) and 20(b)(ii)(c) of the N.D.P.S. Act, pending
in the Court of learned Sessions Judge cum Special Judge,
Patna.

The prosecution case is that on secret information a truck
was intercepted, from which 300 Kg. ganja was recovered. The
petitioner being the cleaner of the alleged truck was
apprehended.



It is submitted by learned counsel for the petitioner that the petitioner, being the cleaner of the alleged truck is not responsible for alleged transportation of the ganja as it was forcibly loaded in the truck by three co-accused persons who were escorting the truck by a motorcycle. It is further submitted that co-accused, Raja Ram Mahto, at whose instance the ganja was being transported, has been granted bail by a Co-ordinate bench of this Court, vide order dated 15.05.2019, passed in Cr. Misc. No. 15054 of 2019. It is further submitted that the petitioner is languishing in custody since 16.09.2017. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the Narcotic and Control Bureau submits that in spite of instruction being transmitted to authority concerned to comply the order of this Court and to conclude the trail, the trail has not been concluded.

Considering the recovery of the commercial quantity of the ganja, this Court is not inclined to revise the earlier order.

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

From the report of the learned A.D.J.-III, Patna dated 26.10.2019, it appears that charges were framed on 28.05.2019, but no witness has been examined, which shows the callous



manner in which the Narcotic and Drugs Bureau is conducting the trial.

It is expected from learned trial court to pass appropriate order directing the Narcotic and Control Bureau, Patna zone to produce witnesses so that the trial be concluded within a period of six months and if the same will not be concluded within six months, the petitioner will be at liberty to renew his prayer for bail.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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