

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36299 of 2021

Arising Out of PS. Case No.-08 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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BACHCHA BABU S/o Late Nurul Hoda R/o village- Ward No. 02, Masahi
@ Mahasi, P.S.- Chhauradan, District- East Champaran

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. The Union of India

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr. Saroj Kumar Sharma, Advocate
For the State	:	Mr. Dilip Kumar No. 1, APP
For Union of India	:	Mr. Manoj Kumar Singh, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

- 3 29-09-2021 Heard learned counsel for the petitioner, learned
counsel for Union of India and learned Additional Public
Prosecutor for the State.

The petitioner is languishing in custody for the
offence punishable under Sections 8, 20 of N.D.P.S. Act.

27.5 kg. of charas was allegedly recovered from
possession of the petitioner. Petitioner is in custody since
11.02.2018.

Prayer for bail on merit has already been refused on
06.10.2020 in Cr. Misc. No. 85427 of 2019 considering the
mandate of Section 37 of the N.D.P.S. Act as well as judgment
of the Hon'ble Supreme Court in **State of Kerala Etc. v.**



Rajesh Etc. reported in AIR 2020 Supreme Court 721.

The report of the trial Judge would reveal that prosecution evidence is already going on.

Considering the facts aforesaid, I am not inclined to review the earlier order of refusal of prayer for bail. Hence, prayer is refused in connection with N.D.P.S. Case No. 10 of 2018 arising out of NCB Case No. PZU/V/08/2018.

(Birendra Kumar, J)

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