

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29590 of 2020

Arising Out of PS. Case No.-322 Year-2020 Thana- NAWADA District- Nawada

JITENDRA SINGH @ NAVLESH SINGH, Son of Bhola Singh @ Sunil Singh, Resident of Village - Sri Rampur, P.S. - Hisua, District - Nawada, At present resident of Mohalla - Prasad Bigha, Nawada, P.S. - Nawada, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 20, 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 37(C) of the Bihar Prohibition and Excise Act, 2016.

According to FIR, on a motorcycle two persons were there. Co-accused Gautam Rishi was driving the motorcycle and the petitioner was a pillion carrying a bag wherein 3.25 Kg. of Ganja was there. Both were arrested at the spot.

Learned counsel for the petitioner submits that petitioner has got no criminal antecedent. He is in custody since 14.04.2020. Investigation of the case against the petitioner is already complete. Petitioner is ready to cooperate with the trial.



Co-accused Gautam Rishi has already been allowed bail by a Coordinate Bench of this Court vide order dated 24.09.2020 passed in Cr. Misc. No. 24709 of 2020.

The order passed by the Coordinate Bench in the aforesaid criminal miscellaneous reveals that submission was there before the Court that Gautam Rishi had no knowledge what the pillion was carrying who had taken simply lift on the way. Therefore, case of the petitioner is distinguishable. The recovered quantity is commercial quantity. The provisions of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 requires grant of bail on fulfillment of certain conditions. There is nothing to substantiate that the petitioner have not committed the offence alleged nor in the event of release he would commit such offence. Hence, I am not inclined to enlarge the petitioner on bail in connection with Nawada Nagar P.S. Case No. 322 of 2020 corresponding to Special (NDPS) Case No. 17 of 2020 pending in the Court of learned 2nd Additional Sessions Judge-cum-Special Judge, Nawada.

Trial court is directed to expedite the trial of the case.

(Birendra Kumar, J)

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