

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32221 of 2020

Arising Out of PS. Case No.-169 Year-2018 Thana- SHIVSAGAR District- Rohtas

SONU KUMAR SINGH Son of Kashinath Singh Resident of Village-
Rajapur, P.S.- Koelwar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umeshanand Pandit
For the Opposite Party/s : Ms. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-01-2021 Heard the learned counsel for the petitioner and Ms.
Anita Kumari Singh, the learned APP for the State.

The present petition is by way of second attempt at the behest of the petitioner for grant of bail in connection Sheosagar PS case no. 169 of 2018 under Section 8/20 (B)(ii) (c)/25/29 of N.D.P.S. Act, 1985, inasmuch as the earlier bail petition of the petitioner for grant of bail has stood rejected by this Court vide order dated 16.12.2019, passed in Cr. Misc. no. 83463 of 2019.

In the written report, it is alleged that police intercepted Qualis vehicle on which two male and two female were found sitting. The police made search of the said vehicle and total 84 kg. 500 grams of *ganja* was recovered from the said vehicle, wrapped in plastic paper kept in concealed position



under the middle seat, back seat and also in the ceiling of the vehicle. On demand, the accused persons including the petitioner herein did not produce any valid paper with regard to the recovered *ganja*. The petitioner is alleged to be the driver of the aforesaid vehicle.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 21.05.2018, hence he may be enlarged on bail, more so, since there is no likelihood of conclusion of trial in the near future.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Considering the fact that huge quantity of *ganja*, which is commercial quantity, as per the Schedule to the N.D.P.S. Act, 1985, has been recovered, as also taking into account the stringent provisions contained in Section 37 of the NDPS Act, 1985 and further, considering the fact that there has been no change in the circumstances from the day the prayer of the petitioner for grant of bail was earlier rejected, till date, I do not find any reason to reconsider the prayer of the petitioner for grant of bail, hence the same stands dismissed.

(Mohit Kumar Shah, J)

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