

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.42651 of 2021

Arising Out of PS. Case No.-41 Year-2019 Thana- GUTHANI District- Siwan

SADDAM HUSSAIN @ SADDAM HUSAIN Son of Hazi Munaf @
Munaph Resident of Village- Lalwara, P.S.- Mainadher, District- Muradabad
(U.P.).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Soni Srivastava
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 18-08-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
NDPS Trial No. 100 of 2019, arising out of Guthani Police
Station Case No. 41 of 2019, registered for the offences
punishable under Sections 8/20(c) (iii) (c) of the Narcotic Drugs
and Psychotropic Substances Act, 1985.

This is the second attempt on behalf of the petitioner
for grant of regular bail. Earlier, the prayer for regular bail of the
petitioner was rejected by this Court, vide order, dated
09.11.2020, passed in Criminal Misc. No. 23582 of 2020.

The prosecution story, as per the First Information



Report, is that a total quantity of 140.65 kgs. of Ganja was recovered from a vehicle, of which the petitioner is the owner -cum- driver.

Learned Counsel for the petitioner submit that though the bail application of the petitioner was earlier rejected on merit, the petitioner has filed this application in view of the subsequent development that out of the six witnesses, four have been examined and referring to Annexure 2 and 3 series, she submits that all the four witnesses have made self-contradictory statements before the learned Trial Court. She further submits that the trial is not making any progress since April, 2021 due to COVID-19 pandemic.

Regard being had to the submission advanced on behalf of the parties and taking into consideration the materials on record and the fact that huge quantity of Ganja was recovered from the possession of the petitioner and the earlier bail application of the petitioner was rejected on merit, I am not inclined to grant regular bail to the petitioner.

This application is, accordingly, dismissed.

However, it is expected that the learned Trial Court will take all possible measures for disposal of the trial against the petitioner as early as possible, preferably within a period of



six months from today.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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