

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34745 of 2020

Arising Out of PS. Case No.-30 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

MD. SUFIYAN @ SUFIYAN S/o Md. Anwar @ Anvaar Resident of Village-
Khushhalpur, P.S.- Mirjapur, Dist- Saharanpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
 2. The Union of India through Director Nacotics Bureau, Patna Bihar
- Opposite Party.

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh
For the C.G.C. : Mr. Manoj Kumatr Singh,

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 03-03-2021 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Sections 8,
20 & 29 of the N.D.P.S. Act, 1985.

Earlier prayer for bail of the petitioner was rejected vide
Annexure-1 to the present application taking into account that there
was recovery of 520 kg Ganja and the same was above the
commercial quantity. Hence the petitioner was not entitled for bail
under the provisions of Section 37 of NDPS Act.

A report was called for from the trial court. It has been reported
that only one prosecution witness has been examined. Nine witnesses
are still to be examined in the present case. The specific direction has
been issued to the Special P.P. for production of the prosecution
witnesses but on the date fixed, the prosecution witnesses have not
been produced. Summons and warrants have also been issued against



the prosecution witnesses. It is further pointed out that if the witnesses will be produced in time, the case may be concluded within a period of eight months.

Mr. Manoj Kumar Singh, counsel for the Union of India submits that he will take necessary steps for production of prosecution witnesses on the date fixed by the trial court.

Considering the nature of accusation and the stage of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer for bail of the petitioner in connection with N.D.P.S. Special Case No. 30 of 2018 arising out of NDPS Case No. 21 of 2018 is rejected.

The Zonal Director, Narcotic Bureau, Patna is directed to ensure that the prosecution witnesses are produced in the court on the date fixed by the trial court so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the Zonal Director, Narcotic Bureau, Patna through Mr. Manoj Kumar Singh, counsel for C.G.C.

(Sudhir Singh, J)

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