

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32777 of 2020

Arising Out of PS. Case No.-32 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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Sunny Kumar, (Male), aged about 21 years, S/o Janardan Rai @ Janardhan Ray, resident of Naya Tola, Sarwarpur, P.S.- Athmal Gola, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Chandra Shekhar Anand, Advocate.
For the Opposite Party : Mr. Nityanand Tiwari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 16-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through Virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner seeks bail in a case for the offence
registered under Sections 8 and 20 of the N.D.P.S. Act.

The prosecution story, in brief, is that the informant,
Rahul Kumar Pandey, Intelligence Officer, Narcotics Control
Bureau, Patna Zonal Unit, Patna, with other officials on
09.07.2018, intercepted two persons, namely, Sittu Kumar and
Sunny Kumar (petitioner) with a Tata Sumo four wheeler
bearing Registration No. BR-1AP-9580. The informant after



search recovered 94.400 kgs., of dried brown colour Ganja packed in 34 packets from the aforesaid vehicle. The informant also seized vehicle alongwith relevant papers, keys and two mobiles and recorded the statement of both accused persons under Section 67 of N.D.P.S. Act, 1985 in which they confessed their involvement in trafficking of seized contraband Ganja. After that the informant arrested and taken into custody the above two accused persons.

Earlier bail application of the petitioner was rejected vide Cr. Misc. No. 8128 of 2019 under order dated 15.04.2019 taking into account that 94.400 kgs., of Ganja is recovered from constructive possession of the petitioner, annexed as Annexure-1 to the present bail application.

This is second attempt on behalf of the petitioner for grant of bail.

A report was called for from the court below regarding the present stage of the case. It has been reported that out of 04 prosecution witnesses, 02 prosecution witnesses have already been examined.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Special Case No. 09/2018,



arising out of Purnia District Government Official Complaint
Case No. 32/2018, pending in the court of learned Special
Judge-cum-Sessions Judge, N.D.P.S. Act, Purnia.

The court below is directed to take all necessary steps
to conclude the trial preferably within a period of six months
from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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