

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50305 of 2021

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

SONU KUMAR @ SONU KUMAR SINGH S/o 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.Raj Kishore Prasad, Advocate
For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-11-2021 Heard the learned counsel for the petitioner and Sri
Harendra Prasad, learned APP appearing for the State.

The present petition is by way of third attempt at the behest of the petitioner for grant of regular bail in connection with Shiv Sagar PS case no. 169 of 2018 registered under Sections 8, 20b(ii)(c), 25, 29 N.D.P.S. Act, 1985, inasmuch as this Court on earlier occasions has rejected the prayer of the petitioner for grant of bail.

The case of the prosecution in brief is that the police had 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 gms. 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 and there is no progress in the trial.

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

Having regard to the facts and circumstances of the case, considering the fact that huge quantity of *ganja* has been recovered, which is a commercial quantity as per the Schedule to the N.D.P.S. Act, 1985 and taking into account the provisions contained in Section 37 of the N.D.P.S. Act, 1985 as also finding that there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for grant of bail, I do not find any reason to reconsider the prayer of the petitioner for grant of bail, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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