

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.323 of 2021**

Arising Out of PS. Case No.-43 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

=====

PRASENJIT CHAKRABORTHY Son of Swapon Chakraborty Resident of
Village - Jail Road, P.S.- Dharmanagr, District - North Tripura, (Tripura)

... .. Petitioner

Versus

1. The State of Bihar
2. Union of India, Through Narcotics Control Bureau, Patna Zonal Unit. Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Mithilesh Kumar Khare, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 12-04-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Special Case No. 116/2018 arising out of F.
No. NCB/PZU/V/43/2018 dated 11.10.2018 registered for the
offence under Section 20/29 of the N.D.P.S. Act, pending in the
court of learned Sessions Judge/Special Judge, Patna.

As per prosecution story, on secret information that a
car loaded with Ganja is arriving in Masaurhi through
Bakhtiyarpur Four Lane from Guwahati, the N.C.B., Patna
Zonal Unit seized 43.700 kgs. of Ganja kept in 12 packets from
the dicky of Swift Dezire Car with two persons namely, Shankar



Paul and Prasanjit Chakraborty (petitioner). The statement of the accused persons were recorded under Section 67 of the Narcotic Drugs and Psychotropic Substances Act in which they confessed their involvement in the trafficking of Ganja.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, petitioner is neither the owner of the Car nor he was driving the said Car and he is in custody since 09.10.2018 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the quantity of Ganja allegedly recovered from the vehicle in which this petitioner was moving, keeping in view the rigors of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, this Court is not inclined to grant privilege of regular bail to the petitioner.

Prayer for regular bail of the petitioner is, thus, refused.

However, considering that the petitioner is in jail in connection with the present case for about 2½ years, the learned trial court is expected to proceed with the trial on day to day basis. From the trial court's report it appears that summons have been issued to the witnesses. It is thus evident that the trial has



now commenced.

Let the trial be concluded as expeditiously as possible preferably within a period of nine months from today. The prosecution and defence both shall cooperate in early conclusion of trial.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

