

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 533 of 2021**

Arising Out of PS. Case No.-162 Year-2020 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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SANJAY PASI son of Naga Pasi Resident of Village- Pandey Pipra, P.S.-
Mohanta, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Parwej Khan, Advocate
For the Opposite Party/s : Mr Satya Nand Shukla, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 16-04-2021 In view of sudden surge of COVID – 19 infection,

there is limited functioning of the Court and, therefore, the

matter has been listed today for consideration through Virtual

Mode.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Bhagwanpur Police

Station (for brevity *PS*) Case No 162 of 2020 arising out of

Narcotic Drugs and Psychotropic Substances (for brevity,

NDPS) Act Case No 32 of 2020 instituted for the offence

punishable under Sections 8/20 (b) (ii) (B)/22/27 (A) of NDPS

Act.

The petitioner is in custody since 02.09.2020. There



is alleged recovery of 12 Kilograms of *Ganja* from the petitioner while travelling on a motorcycle along with co-accused Mannu Yadav.

Learned counsel for the petitioner submits that there is non-compliance with Section 50 of NDPS Act and that the petitioner has no criminal antecedent.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions and the fact that the recovery is of commercial quantity and also the fact that there is bar to grant bail under Section 37 of NDPS Act, this Court is not inclined to grant bail to the petitioner. The same is rejected.

This Court would, however, observe that the trial should proceed expeditiously, without granting unnecessary adjournments or without any undue delay.

(Madhuresh Prasad, J)

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