

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2518 of 2021**

Arising Out of PS. Case No.-468 Year-2018 Thana- BRAHMPUR District- Buxar

SIDHNATH SAH, aged about 74 years, Gender-Male, Son of Late Paras Nath Sah, Resident of Village- Mahuwar, P.S.- Brhampur (Nainijor), Distt- Buxar.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Arvind Prasad Singh, Advocate.
For the Opposite Party : Mr. Jharkhandi Upadhaya, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 01-09-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned counsel for the State through Virtual mode.

The petitioner is languishing in custody since 17.11.2018 in connection with Special N.D.P.S. Case No. 7/2018, arising out of Brahampur (Nainijor) P.S. Case No. 468 of 2018 registered for the offence under Sections 20(b)(ii) (c)/27(a)/29 of the N.D.P.S. Act.

The prosecution story, in brief, is that on the basis of



confidential information, houses of Sidhnath Sah (petitioner) and co-accused Chegan Sah were raided on 14.10.2018 and during the course of raid, 60 kgs. Ganja was recovered from the house of Sidhnath Sah (petitioner) and 50 kgs. Ganja was recovered from the house of co-accused Chegan Sah.

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

Earlier the bail application of the petitioner was rejected vide Cr. Misc. No. 11892 of 2019 under order dated 24.09.2019, annexed as Annexure-1 to the present application, taking into account that 60 kgs. of Ganja was said to have been recovered from the house of the petitioner and the petitioner was not entitled for grant of bail in light of Section 37 of the N.D.P.S. Act.

A report was called for from the learned court below regarding the present stage of the case. It has been reported that the case is at the stage of defence argument.

Considering the stage of the case and nature of accusation, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Special N.D.P.S. Case No. 7/2018, arising out of Brahampur (Nainijor) P.S. Case No. 468/2018, pending in the court of learned A.D.J.-III, Buxar.



The court below is directed to take all necessary steps
to conclude the trial at the earliest.

(Sudhir Singh, J)

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