

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22424 of 2021

Arising Out of PS. Case No.-19 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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SHAMBAR KHAN @ SAMBER KHAN Son of Late Jogi Khan Resident of
Village - Pind Kup Khurd, Dilwargarh, P.S.- Ahmedgarh, Kup Kalan, District
- Sangrur (Punjab).

... .. Petitioner/s

Versus

The Union of India through Intelligence Officer, Narcotics Control Bureau,
Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjiv Sharan, Advocate
For Union of India	:	Mr.K.N Singh, A.S.G. Mr.Awadhesh Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 16-02-2022 Due to the third wave of COVID-19 Pandemic, the

matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
counsel for the Union of India through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out, by the office, within a period of four
weeks from the date of restoration of normalcy.

The petitioner seeks bail in connection with Special
N.D.P.S. case No.32 of 2018 arising out of NCB/PZU/V/19/18
registered under Sections 8/20/25 and 29 of the Narcotic Drugs



and Psychotropic Substance Act, pending in the court of learned A.D.J. XVII, Patna.

The earlier bail application of the petitioner was rejected vide Annexure 1 to the present application taking into account that 279 kgs ganja is recovered. Same is more than the commercial quantity and hence the petitioner was not entitled for bail under Section 37 of the N.D.P.S. Act.

A report was called for from the trial court. It has been reported that out of six prosecution witnesses, none has been examined in this case.

A counter affidavit has also been filed on behalf of the Union of India stating that one prosecution witness has 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.

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

The Zonal Director, Narcotics Control Bureau, Patna is directed to ensure the production of prosecution witnesses on the date fixed by the Trial Court so that the trial could be



concluded within the stipulated period.

Let this order be communicated to the Zonal Director,
Narcotics Control Bureau, Patna.

(Sudhir Singh, J)

Narendra/-

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