

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12295 of 2022

Arising Out of PS. Case No.-28 Year-2020 Thana- BAUNSI District- Banka

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SUJIT KUMAR S/O DEVAN YADAV @ DEVO YADAV R/o village-
Adariya, P.S.- Maraiya (Parbatta), Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 20-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This is third attempt for regular bail on behalf of the
petitioner in connection with Special Case No. 02 / 2020
(arising out of Baunsi P.S. Case No. 28 / 2020) registered for
the offence under Section 20 (b)(II)(C) / 22 / 23 of the N.D.P.S.
Act inasmuch as earlier on two occasions the bail application of
the petitioner was rejected by this court vide order dated
3/2/2021 & 25/8/2021 passed in Cr. Misc. Nos. 35253 / 2020 &
47102 / 2021 respectively on the ground that huge quantity of
Ganja was recovered from the Sumo vehicle, which was being
driven by the petitioner.

The quantity of Ganja recovered from the vehicle of
the petitioner is 120.6 KG which is a commercial quantity.



Learned counsel for the petitioner submits that petitioner is in custody since 01/02/2020 i.e. for about two years five months and is having no criminal antecedent of similar nature of offence.

This court vide its order dated 20.4.2022 called for a report from the court below regarding the progress of the trial and in pursuance thereof learned A.D.J.- I, Banka vide his letter no. 34 / 22 dated 26th April 2022 furnished the report and from perusal of the same it appears that the learned trial court has given the estimated time for conclusion of the trial within a period of nine months and has further informed that out of nine prosecution witnesses, one witness has been examined and cross examined.

In view of the fact that commercial quantity of Ganja has been recovered from the possession of the petitioner, I am not inclined to grant regular bail to the petitioner.

Accordingly, this application is rejected.

(Anil Kumar Sinha, J)

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