

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46968 of 2021**

Arising Out of PS. Case No.-263 Year-2017 Thana- JAGDISHPUR District- Bhojpur

BIMAL BIHARI SINGH S/O JAGAI SINGH R/o village- Mathurapur, P.S.-
Jagdishpur, District- Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vindhya Keshri Kumar, Sr. Adv. Mr. Ganesh Prasad Singh, Adv.
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 23-03-2022 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 21, 22 and 24
of the N.D.P.S. Act.

As per the prosecution case, on the tractor and
trolley in question being stopped for checking, it is stated that
the driver of the vehicle as also two unknown accused persons
taking benefit of darkness managed to escape. On search,
575.295 kgs of ganja was recovered and the F.I.R. was
registered against the petitioner in the capacity of his being the
owner of the vehicle besides others.

It is submitted by learned senior counsel appearing



for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. He was not even seen fleeing from the alleged place of seizure/occurrence. The only reason for his false implication is that he happens to be the registered owner of the vehicle in question. Even as per the confessional statement of the driver namely Dhananjay Singh, who was arrested, it was one Jaiprakash Singh who asked him to carry the goods. The petitioner is in custody since 24.5.2021 and chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the materials on record, it transpires that huge quantity of about 575 kgs of ganja has been recovered from the tractor and trolley of which the petitioner happens to be the registered owner. Further, from the order of the learned trial court, it transpires that in the case registered on 10.9.2017, while the case proceeded and ended in the conviction of the driver of the vehicle, this petitioner continued to abscond till he was taken into custody on 24.5.2021.

In view of the facts of the case, the Court is not



inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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