

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9475 of 2023

Arising Out of PS. Case No.-246 Year-2022 Thana- RAJIVNAGAR District- Patna

Manoj Kumar Son of Kedar Singh, Resident of Village- Madhuban, P.S.-
Turki, District- Muzaffarpur, Present Address- resident of Gandhi Nagar
Kanchanpuri, P.S.- Rajiv Nagar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through N.C.B New Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-05-2023 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Spl. Case No. 72 of 2022 arising out of Spl. Case No. 96 of
2022 (regarding Rajeev Nagar P.S. Case No. 246 of 2022) dated
25.05.2022 lodged under Sections 8, 20(b), ii, (B), 25, 27(a) and
29 of NDPS Act, 1985.

As per the prosecution, the recovery of *Ganja* has
alleged to be made from the house of the petitioner.

Learned counsel for the petitioner submits that the

said recovery was not made from the house of the petitioner rather it has been made from a nearby place. The total recovery is 5 kg. of *Ganja* has been made which is lesser than commercial quantity, therefore, bail may be granted. He further submits that petitioner was accused in two cases in which he is on bail and he is in custody since 26.05.2022.

Learned counsel for the State opposes the prayer for bail and he submits that in the present case the petitioner is accused in NDPS case. He also submits that there are three criminal antecedent of the petitioner and out of three, there is two antecedent of NDPS.

Considering the aspect that the petitioner's name is figuring repeatedly in NDPS matter, therefore, this court is not inclined to grant bail to the petitioner and bail petition of the petitioner is hereby rejected.

Trial court is directed to expedite the trial within nine months.

(Dr. Anshuman, J.)

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