

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18258 of 2023

Arising Out of PS. Case No.-73 Year-2022 Thana- AMBA District- Aurangabad

NAND KUMAR BHARDWAJ @ GOLU SINGH Son of Rakesh Singh @
Rakesh Kumar Singh R/v- Bairiya, P.S.- Chenari, District- Rohtas
... .. Petitioner/s

Versus

THE UNION OF INDIA THROUGH NARCOTICS CONTROL BUREAU,
PATNA
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushkar Narain Shahi, Advocate
Mr. Sanjeet Kumar Singh, Advocate
For the U.O.I. : Mr. K.N. Singh, A.S.G.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 4 03-05-2023 1. Heard learned counsel for the petitioner and
the learned ASG for the Union of India.
2. Petitioner seeks regular bail in connection
with Amba P.S. Case No.73 of 2022 dated 31.03.2022 registered
for the offences punishable under Sections 8/20(b) (ii) (c), 25
and 29 of the N.D.P.S. Act.
3. As per the prosecution, police personnel on
secret information seized the alleged two cars, apprehended this
petitioner as the driver of one of the said cars and upon search
138.750 kg of contraband suspected to be Ganja was recovered
from this petitioner's car.
4. The main submissions advanced by the
learned counsel for the petitioner are that this is the second
attempt for bail made by the petitioner and the fresh grounds
taken by the petitioner in the present petition are that the



petitioner has been languishing in jail since 01.04.2022 and prosecution is very slow in producing the prosecution witnesses in the petitioner's trial despite of the fact that the main prosecution witnesses are official persons and petitioner is a driver of the seized car from which the recovery of the alleged contraband has been made.

5. Learned ASG appearing for the Union of India opposes the bail prayer.

6. Heard both the sides and perused the Status Report of the trial sent by the trial Court with regard to the present position of the petitioner's trial which shows that in the trial of the petitioner, three prosecution witnesses have been examined. Considering the stage of the petitioner's trial as well as nature of allegation, in the opinion of this Court the petitioner's second bail prayer is not acceptable at this stage and he does not deserve to the privilege of bail. Accordingly, his bail prayer stands rejected.

The trial Court is directed to expedite the trial of this petitioner and take steps to conclude the same in the next nine months.

(Shailendra Singh, J)

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