

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22528 of 2022

Arising Out of PS. Case No.-12 Year-2013 Thana- D.R.I District- Patna

PREM KUMAR @ PREM KUMAR PARBAT S/o Late Rajendra Parbat R/o
village and Post- Chhap Mathiya, P.S.- Mirganj, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through Narcotics Department (DRI)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deovind Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Satyendra Prasad, APP
For the UOI	:	Mr. Anshuman Singh, Sr. S.C., DRI

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 11-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 20, 25 and 29 of the N.D.P.S. Act.

As per the prosecution case, 164 kgs of ganja is said to have been recovered from the vehicle in question. It is stated that the petitioner was arrested along with other accused persons but escaped from custody.

It is submitted by learned counsel for the petitioner that he has been falsely implicated in the case. No incriminating article has been recovered from his possession. He is in custody since 13.3.2020 and there is no chance of the trial concluding in the near future. He undertakes to cooperate in the trial.



The application for bail is opposed by learned counsel for the Union of India. It is submitted by learned counsel that not only huge quantity of ganja was recovered from the vehicle in question and the petitioner was arrested on the spot, however he also managed to escape from the place of occurrence and could be taken into custody only about seven years later on 13.3.2020. It is submitted that once he is enlarged on bail he may once again abscond and not permit the trial to conclude.

Having heard learned counsel for the parties and taking into consideration the nature of allegations, recovery of 164 kgs of ganja, the petitioner having escaped from custody and having absconded for a period of about seven years and the progress in the trial in the learned trial court wherein according to learned counsel for the petitioner, two witnesses have been examined on behalf of the prosecution, 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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