

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23576 of 2022

Arising Out of PS. Case No.-28 Year-2009 Thana- KANGLI District- West Champaran

VIKRAM MANJHI S/o Manoharn Manjhi Resident of Village- Dabtard,
Majhariya, P.S.- Kangali, Dabtard Majhariya, P.S.- Kangali, District- West
Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State, Sri Nirmal Kumar
Sinha.

The present petition is by way of second
attempt at the behest of the petitioner for grant
of bail in connection with Trial No. 70A of 2011,
arising out of Kangali P.S. Case No. 28 of 2009
under Sections 20/22 and 23 of the NDPS Act,
inasmuch as the earlier prayer of the petitioner
for grant of bail was rejected by a coordinate
Bench of this Court, vide order dated 18.4.2018,
passed in Criminal Miscellaneous No. 12322 of
2018.



The allegation is regarding recovery of 40 kgs. of ganja from the house of the petitioner, after the police had conducted a raid at the house of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 27.3.2017 and there is no chance of completion of the trial in near future, hence, the petitioner be enlarged on bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

I have heard the learned counsel for the parties and gone through the materials available on record from which it is apparent that the quantity of ganja, seized from the house of the petitioner, is much more than the commercial quantity of ganja, specified in the schedule notified under the NDPS Act, 1985, hence, considering the stringent provisions contained under Section 37(1) (b) of the NDPS Act, 1985, as also considering the fact that there is no change in circumstance so as to warrant reconsideration of the prayer of the



petitioner for grant of bail, I do not find any merit in the present petition, hence, the same stands dismissed.

(Mohit Kumar Shah, J)

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