

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24940 of 2023

Arising Out of PS. Case No.-179 Year-2021 Thana- DHAMDHAHA District- Purnia

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Amarjeet Kumar @ Amarjit Choudhary, Son of Manoj Choudhary @ Manoj Kumar Choudhary, Resident of village - Dhamdaha Uttar Tola, ward no. 03, P.S. - Dhamdaha, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Special Case No. 59 of 2021 arising out of Dhamdaha P.S. Case No. 179 of 2021 registered for the alleged offences under Sections 20(b)(ii)(c)/25 of the N.D.P.S. Act having earlier been rejected by this Court vide order dated 31.08.2022 passed in Cr. Misc. No. 65505 of 2021 with a direction to the learned trial court to conclude the trial preferably within a year.

3. Allegation against the petitioner is that from his vehicle, 38.921 kg of ganja was recovered apart from recovery of 33.872 kg of ganja and cash of Rs. 8,63,750/- from the house



of the co-accused.

4. Learned counsel for the petitioner submits on the merits of the case that there is CCTV footage available on record before the learned trial court showing that the petitioner was picked up four hours prior to the time when he was shown to have been apprehended with his vehicle containing the contraband.

5. I do not think this contention deserves any consideration at this stage when this defence was already available at the time when the earlier bail petition was considered and rejected by a detailed order.

6. At this stage, the learned counsel for the petitioner submits that this petition be kept for hearing after 31.08.2023.

7. I do not think such prayer is acceptable. When this Court is not inclined to grant bail to the petitioner on the facts and circumstances, such prayer tantamounts to dictating the Court what to do with the petition before it. If the petitioner has no urgency, he should have avoided filing the present petition. I do not think the prayer of the learned counsel for the petitioner has got any merit and hence, the same is rejected.

8. Since, there is no fresh ground for consideration of prayer for bail of the petitioner, as such, his prayer for bail is



rejected.

9. Accordingly, this petition is dismissed.

(Arun Kumar Jha, J)

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