

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33533 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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PINTU KUMAR Son of Nanhku Yadav Resident of Village - Dubari Bighaha,
P.s.- Sirdala, Distt.- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE UNION OF INDIA Govt. of India.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Chhote Lal Mishra
For the Opposite Party/s	:	Mr. Dr. Ajeet Kumar
For C.G.C.	:	Ms. Shail Kumari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 25-01-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Special

Case No. 45 of 2022 arising out of Case No. F. No.

NCB/PZU/V/06/2022, registered for the offences punishable

under Sections 8(c), r/w 20 (b) (ii) (c)/25 and 29 of the

N.D.P.S. Act.

As per allegation, 193 kg of *Ganja* was recovered

from a Tata Truck bearing Registration No. BR26GB-2411

which was being driven by the petitioner.

Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is neither the driver nor the owner of the vehicle.

He further submits that the petitioner has been languishing in jail since 27.02.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail as the petitioner was driving the truck from which the contraband was recovered.

Considering the aforesaid facts and circumstances, particularly the huge quantity of recovered contraband which is much more than the commercial quantity, I am not persuaded to enlarge the petitioner on bail at this stage.

This application is accordingly dismissed.

However, Ld. Trial Court is directed to expedite



the trial. In case, the trial is not concluded within a period of one and a half year, the petitioner is at liberty to renew his prayer for bail.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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