

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38066 of 2023

Arising Out of PS. Case No.-15 Year-2021 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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DHEERAJ KUMAR SAHU S/O LATE MATANG SAHU R/O Village- Ratu
Jharkhand Tand, P.O and P.S- Ratu, Distt.- Ranchi (Jharkhand)-835222.

... .. Petitioner/s

Versus

The Union of India through Intelligence Officer, Narcotic Control Bureau, Patna
Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Soni Kumari
For the Opposite Party/s	:	Mr.K.N. Singh (Asg)
For the U.O.I.	:	Mr. Avadhesh Kumar Pandey (Sr. CGC)
	:	Mr. T.N Thakur (CGC)
	:	Mr. Lokesh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 16-10-2023 Heard learned counsel for the petitioner, learned C.G.C.

appearing on behalf of U.O.I. and learned APP for the State.

2. The petitioner has prayed for bail in connection with
N.D.P.S. Special Case No. 81 of 2021 arising out of N.C.B. Crime
Case No. 15/2021 instituted for the offence under Sections 8(c),
20(ii)(c), 25 and 29 of the N.D.P.S. Act.

3. As per F.I.R., prosecution case relates to recovery of
Ganja like contraband substance i.e. 345 kg in 34 packets from a
truck bearing registration no. JH01DV-1337 and the petitioner is
said to be driver of the aforesaid truck who was apprehended on
spot by the raiding NCB team.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. The petitioner being driver of the truck, has falsely been implicated in this case. The petitioner has no concern with the alleged recovery of *ganja* like contraband substance and he was not aware about the contents which was loaded by the owner of the truck. It is further submitted that the provision of N.D.P.S. Act has not been followed properly. The petitioner has got no criminal antecedent and languishing in judicial custody since 26.7.2021. Learned counsel further submits that there is no hope to conclude the trial in near future.

5. Learned APP appearing for the state and learned C.G.C. on behalf of U.O.I. have opposed the prayer of regular bail and submitted that the petitioner is stated to be driver of the truck who was apprehended on spot and from where, huge quantity of *ganja* like narcotic substance was recovered which is said to be 345 kg and the same is much more than commercial quantity.

6. In pursuance to the direction of this court, a report dt. 2.8.2023 with regard to present stage of trial has been received by which, it appears that the case is fixed for prosecution evidence.

7. Having heard the learned counsel for the parties and considering the huge quantity of *ganja* which was seized from truck, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.



8. The trial Court is directed to expedite the trial and conclude the same within a period of one year from today, failing which, the petitioner will be at liberty to renew his prayer of bail.

(Sunil Kumar Panwar, J)

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