

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40223 of 2023

Arising Out of PS. Case No.-8 Year-2020 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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AMIT KUMAR Son of Subhash Chandra @ Subhash R/o Gurunanakpur
Mohalla, P.O. and P.S. - Fathehabad, Distt. - Fatehabad (Harayana)

... .. Petitioner/s

Versus

Union of India through N.C.B. 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(A.S.G.)
For the U.O.I.	:	Mr. Prabhat Kumar
	:	Mr. Amit Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 10-10-2023 Heard learned counsel for the petitioner and learned
APP for the State and learned counsel for the N.C.B..

2. The petitioner has prayed for bail in connection with Special Case No.127 of 2020 arising out of F.No. NCB/PZU/V/08/2020 (NCB Crime/case No. 08/2020) instituted for the offence under Sections 20(b)(ii)(c), 25, 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. 589.400 kg from the truck bearing registration No. HR55N6416 and petitioner was apprehended on spot who was said to be driver of the alleged truck.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. He has falsely been implicated in this case. He has no concern with the alleged recovery of *ganja* like contraband substance and the vehicle in question does not belong to him. The F.S.L. report of the alleged substance like ganja has not been received up till now. He has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 01.09.2020.

5. Learned APP appearing for the state and learned counsel for N.C.B. have opposed the prayer of regular bail and submitted that the petitioner was apprehended on spot with ganja like narcotic substance which is said to be 589.400 kg and the same is much more than commercial quantity as per N.D.P.S. Act.

6. In pursuance to the direction of this Court, a report dated 11.09.2023 with regard to present stage of trial has been received by which it appears that the trial is likely to be concluded within a period of nine months.

6. Having heard the learned counsel for the parties and considering the commercial quantity of seized Ganja, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and



conclude the same within a period of nine months as mentioned in progress report, failing which, the petitioner may renew his prayer of bail.

(Sunil Kumar Panwar, J)

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