

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46070 of 2023

Arising Out of PS. Case No.-12 Year-2020 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Bhagalpur

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INDERPAL SON OF SHIVPAL SINGH @ SHIV SINGH RESIDENT OF
VILLAGE- HAPPA @ TAPPA BALOCHPUR (110) POLICE STATION-
HASANPUR, DISTRICT -HARYANA

... .. Petitioner/s

Versus

UNION OF INDIA, NCB, THROUGH INTELLIGENCE OFFICER,
NARCOTICS CONTROL BUREAU, PATNA ZONAL UNIT KARPOORI
THAKUR SADAN, CGO COMPLEX D AND E BLOCK, ASHIYANA-
DIGHA ROAD, PATNA , BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Brajesh Kumar Singh, Advocate
For the UOI	:	Mr. Awadhesh Kumar Pandey, Advocate
		Ms. Shail Kumari, CGC

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 09-08-2023 Heard the parties.

The petitioner is in judicial custody in connection
with N.D.P.S. Case No. 28 of 2020 arising out of NCB Case
No.12 of 2020 for the offences under Section 20(b)(ii)
(c),25,26,29,35 and 60 of the NDPS Act.

Earlier the Cr. Misc. No.66530 of 2021 was rejected
on 12.05.2022.

A report was called for which has since been received
vide letter no.289 dated 28.07.2023, according to which till
27.07.2023 none of the witnesses have been examined though
the charges were framed on 12.05.2022 itself.



Prosecution story read as follows:

The petitioner is the driver of the truck bearing registration no. PB13BE5813 which was carrying 370 kgs. of 'Ganja' which was hidden in the bags having coconut in it. The NCB, Patna got secret information that a consignment is passing through Vishakhapatnam, Oddisa and Jharkhand and is to reach Bhagalpur Zero Mile. Accordingly, a team was stationed there and as the truck approached, was stopped and on search the aforesaid 370 kgs. 'Ganja' was recovered.

It is the case of the petitioner that coconut was/were loaded in the truck and he never came to know that in between 370 Kg. of Ganja has been kept and had he been knowing about it will have himself informed the police.

Learned Central Government's Counsel have vehemently opposed the prayer stating though they are at fault by not putting forward the witnesses despite the fact that the charges were framed on 12.05.2022, they undertake to speed up the case and take the same to its logical conclusion within a period of nine months from today.

In view of such undertaking given by the Central Government's Counsel that they will take the case to its logical conclusion and will ensure that the witnesses are examined by



the trial court, for the present bail petition of the petitioner
stands rejected.

(Rajiv Roy, J)

Prakash Narayan

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