

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45846 of 2022

Arising Out of PS. Case No.-63 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

BINOD SINGH @ SHATRUDHAN SINGH S/o Late Shiv Pujan Singh R/o
Village - Karisath, P.S.- Udwant Nagar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rina Sinha, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 22-03-2023 Let the defect(s), if any, pointed out by the office be removed within four weeks from the date of this order failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Udwantnagar P.S. Case No. 63/2021 registered for the offences punishable under Sections 411, 420, 467, 468, 471 & 120(B) of Indian Penal Code and Sections 8/20(b)(ii)(C)/25/29 of N.D.P.S. Act.

As per the prosecution, 2386.615 kg. of narcotic material believed to be Ganja was recovered from the godown of this petitioner.



The main submissions advanced by the learned counsel for the petitioner are that at the time of recovery of alleged contraband, the petitioner was in judicial custody in connection with Ara Nawada P.S. Case No.96/2021 and he was enlarged on bail in the said case on 17.03.2021 and the alleged godown from which the recovery of the alleged contraband was made does not belong to the petitioner and in this regard, a supplementary affidavit has been filed and co-accused Mithu Singh who revealed the role of the petitioner in the smuggling of the alleged contraband is not servant of this petitioner and co-accused Abhimanyu Singh @ Bholu Singh @ Bhola who is named in the FIR and his name surfaced in the alleged crime on the basis of disclosure made by the apprehended co-accused Mithu Singh, has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 6203 of 2022.

Learned APP appearing for the State has opposed the bail prayer and submitted that instant matter relates to recovery of huge quantity of the narcotic material believed to be ganja and the said recovery was made from the godown of the petitioner.

Heard both the sides, perused the FIR and case diary of this case. The instant matter relates to recovery of 2386.615



kg. of narcotic material believed to be Ganja and the said contraband was recovered from a godown of the petitioner and as per the prosecution, the petitioner was secretly indulged in smuggling of the narcotic material while in judicial custody and he is the kingpin of the alleged crime and the recovery of the alleged contraband from the alleged place which is stated to be belong to the petitioner is an important circumstance going against this petitioner and the matter relates to the recovery of commercial quantity of narcotic material. Considering these facts, in my view, it is not a fit case for bail to the petitioner Accordingly, his bail prayer stands rejected.

The trial Court is directed to expedite the trial of this petitioner, if the same has started, and take steps to conclude the same in the next eighteen months.

(Shailendra Singh, J)

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