

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57075 of 2023

Arising Out of PS. Case No.-47 Year-2021 Thana- CHANDAN District- Banka

=====

CHHABILAL SHARMA SON OF RAMDEO SHARMA RESIDENT OF
VILLAGE- SACHCHIDANAND NAGAR, PS- TILKHAMANJHI, DISTT-
BHAGALPUR, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s :	Mr. Sadanand Prasad Deo, Advocate
For the Opposite Party/s :	Mr. Shyameshwar Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-10-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has renewed his prayer for grant of
regular bail in connection with Chandan P.S. Case no. 47 of
2021 registered under sections 8, 20(b)(ii)(C), 22, 25 and 29 of
the NDPS Act.

3. As per the prosecution case, 68.817 kgs of ganja
was recovered from the Toyota Qualis vehicle and the three
accused persons including the petitioner herein were taken into
custody. The petitioner is said to be the driver of the vehicle.

4. The earlier application for bail of the petitioner was



rejected vide orders dated 7.3.2022 (Annexure-3) passed in Cr. Misc. no. 37236 of 2021.

5. Learned counsel for the petitioner submits that inspite of the petitioner being in custody since 17.3.2021 and not having any criminal antecedent, the trial is still proceeding and there is no chance of the same concluding in the near future. The petitioner undertakes to cooperate in the trial.

6. The application for bail is opposed by learned APP for the State who submits that evidence of the prosecution witnesses has concluded in the learned trial court.

7. A report was called for from the learned trial Court. As per the report received contained in letter no. 123 dated 5.9.2023 of the learned Addl. District & Sessions Judge I, Banka, the case is pending for defence witness.

8. Having heard learned counsel for the parties and taking into consideration the allegation of recovery of 68.817 kgs of ganja which is a commercial quantity from the vehicle in question and arrest of the petitioner on spot together with the progress in the trial in the learned trial court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

9. The learned trial court is directed to expedite the



trial and conclude the same within a period of four months from
the date of closure of the examination of defence witness.

(Partha Sarthy, J)

Spd/-

U		T	
---	--	---	--

