

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71110 of 2022

Arising Out of PS. Case No.-15 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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INDRAKANT DEV @ RANJEET Son of Mahendra Dev @ Mahendralal
Dev R/V- Donar Chowk, P.S.- Kotwali Laheri Sarai, Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the Intelligence Officer, Narcotics Control Bureau, Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha, Advocate
For the Opposite Party/s : Mr.Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The present petition is by way of third attempt at the behest of the petitioner for grant of bail in connection with N.D.P.S. Case No. 53 of 2019 for the offence registered under Sections 20, 25 and 29 of the N.D.P.S. Act, inasmuch as the earlier prayers of the petitioner for grant of bail have all stood rejected.

The allegation is regarding the petitioner being arrested along with others from a car by the police and upon search 45 kg. Ganga was seized.

The learned counsel for the petitioner has submitted that the petitioner is languishing in



custody since 10.07.2019 without there being any progress in the trial, hence some sympathy be shown towards the petitioner for the purposes of grant of bail.

I have heard the learned counsel for the parties and gone through the materials available on record and I find that 45 kgs Ganja has been seized from the car from which the petitioner was arrested, which as per the Schedule notified under the provisions of the N.D.P.S. Act, 1985, is much more than the commercial quantity specified therein, hence considering the stringent provisions contained in Section 37(1)(b)(2) of the N.D.P.S. Act, 1985, this Court is handicapped to grant bail to the petitioner herein especially in view of the fact that there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for grant of bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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