

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1527 of 2023

Arising Out of PS. Case No.-11 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

MANIK SINGHA @ MANIK SINGH S/O Sri Bhabhani Prasad Singha R/O
Village- Shiv Mandir Rabindra Sarahi, Baramohan Singh Jut, P.O-
Kadamtala, P.S- Matigara, District- Darjeeling (West Bengal)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through intelligence officer Narcotics Bureau Karpoori
Bhawan, Ashiyana Digha Road, Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Kumar

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has renewed his prayer for bail for grant of regular bail in a case registered for the offence punishable under Sections 8(c), 20 and 29 of the N.D.P.S. Act which was earlier rejected by another co-ordinate Bench of this Court on 19.01.2022 passed in Cr. Misc. No. 59450 of 2021 with a direction to expedite and conclude the trial within six months.

3. It is case of recovery of 137 Kg. of ganja from the Bolero vehicle, from which the petitioner and other four accused persons were apprehended on spot.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He was only sitting in the said vehicle and he was unaware about the fact that contraband item was kept inside. Neither the petitioner has any concern with alleged recovery of Ganja nor with the vehicle in question. Nothing has been recovered from his conscious possession. Moreover, save and except petitioner, all similarly situated accused persons, who were apprehended on spot with the contraband articles, were granted bail by different co-ordinate Bench of this Court, passed on 21.6.2023 and 26.4.2023 passed in Cr. Misc. No. 17022 of 2023 and 29157 of 2022 respectively. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 06.03.2018.

5. In compliance of order dated 17.08.2023, a report of learned XVIII Additional District and Sessions Judge, Patna dated 30.08.2023 has been received which is kept at flag 'B' in which it is stated that trial is expected to be concluded within three months.

6. Per contra, it is submitted by learned counsel for the petitioner that petitioner is languishing in judicial custody



for more than five years and 9 months and trial is not likely to be concluded in near future.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-XVII, Patna in connection with Special Case No. 15 of 2018 arising out of Case No. F. No. NCB/PZU/V/11/2018.

(Sunil Kumar Panwar, J)

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