

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73759 of 2022

Arising Out of PS. Case No.-154 Year-2020 Thana- AMAS District- Gaya

PRAMOD PASWAN Son of Ganauri Paswan Resident of Village- Pokhraha,
P.S.- Kothi, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s	:	Mr. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 15-03-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 15(c) of the NDPS Act.

Recovery is of 191 Kgs. of Doda.

Earlier the prayer for bail of this petitioner has been
rejected vide order dated 16.05.2022 passed in Cr. Misc. No.
62421 of 2021 considering the case of the petitioner on merit.

Again the petitioner has renewed his prayer for bail by
filing the present application.

While considering the second prayer for bail of this
petitioner, a report with regard to present stage of the trial has
been called for by this Court vide order dated 18.01.2023 which
has been received and forms part of this application at Flag-A. On



perusal thereof, it would reveal that out of eight charge-sheet witnesses, one witness has been examined and the case is pending for examination of prosecution witnesses.

Learned counsel appearing for the petitioner referring to the aforesaid report submits that the trial of this case is not likely to be concluded in near future and the petitioner is languishing in judicial custody since 10.08.2021.

Taking note of the aforesaid report and the fact that the accused-petitioner happens to be the owner of the alleged vehicle from which 191 Kgs. of Doda has been recovered which comes under the purview of commercial quantity and also the fact that the case of the petitioner has already been adjudicated earlier on the point of bail and no fresh ground for consideration of bail of the petitioner is shown in the present application, this Court is not inclined to differ with the earlier finding recorded in Cr. Misc. No. 62421 of 2021 rejecting the prayer for grant of bail to the petitioner in light of Section 37 of the N.D.P.S. Act. Accordingly, the prayer for bail of this petitioner is rejected.

However, learned trial court is directed to expedite the trial and conclude the same.

(Rajesh Kumar Verma, J)

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