

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13772 of 2024

Arising Out of PS. Case No.-16 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

=====

Rohit Kumar Son of Devandra Paswan, R/O Village- Panhara, PS- Naubatpur,
District- Patna.

... .. Petitioner

Versus

The Union of India through Narcotics Control Bureau, Patna.

... .. Union of India

=====

Appearance :

For the Petitioner	:	Mr. Madhukar Anand, Advocate
For the UoI	:	Mr. Ram Anurag Singh, CGC

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 04-07-2024 Heard Mr. Madhukar Anand, the learned counsel

for the petitioner and Mr. Ram Anurag Singh, the learned CGC

appearing on behalf of Union of India.

2. Petitioner seeks regular bail who is in custody since

27.07.2021, in connection with Special Case No. 84 of 2021,

arising out of NCB Case No. 16 of 2021, registered for the

offences punishable under Sections 8(c), 21(C), 22(C), 25 and

29 of the NDPS Act.

3. Earlier the petitioner has moved before this

Hon'ble Court in Cr. Misc. No. 45512 of 2022, which was

rejected vide order dated 29.04.2023.

4. According to the prosecution case, after receiving

the secret information that a big consignment of Heroine and



Alprazolam is being brought from Gajipur to Aurangabad, the NCB team reached at the alleged place apprehended three persons and recovered 280 grams of Heroine, 255 grams of Alprazolam, 9 kgs of stone and two vehicles. It is further alleged that from the Scorpio vehicle one country made pistol, twelve live bullets, documents pertaining to car and Rs. 4,75,000/- (Rupees four lakhs and seventy-five thousand) were recovered.

5. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that bare perusal of the FIR it appears that no incriminating contraband has been recovered from the possession of the petitioner, rather the recovery has been made from the vehicle in question and as per allegation in the FIR, the petitioner is going to receive the alleged contraband from the co-accused person namely, Manoj Kumar.

6. The learned counsel appearing on behalf of the Union of India on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that petitioner was examined under Section 67 of the NDPS Act, wherein he himself has revealed that he was involved in the present crime in question. Apart from that, the FSL report also confirms that



the recovered articles are contraband. In addition to that, the amount of recovered contraband is more than the commercial quantity and it appears from the paragraph- 3 of the bail petition that petitioner is also accused in another NDPS matter, but he has not mentioned the details of that case. He further refers to the report of the learned trial Court, which reveals that out of eight chargesheeted witnesses, four witnesses have already been examined.

7. Considering the aforesaid facts and circumstances and the report of the learned trial Court, I am **not** inclined to enlarge the petitioner on bail in connection with NCB Case No. 16 of 2021, pending in the Court of learned Additional Sessions Judge-XVIII, Patna Sadar.

8. Prayer is refused.

9. However, the learned trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

Shahnawaz/-

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

