

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8106 of 2024

Arising Out of PS. Case No.-15 Year-2018 Thana- D.R.I District- Muzaffarpur

Budha Shil @ Sri Buddha Shil S/O Sri Sajal Singh Village- Tarapur, Tarapur
Mohanpur, Ps. Sidhai, Dist. West Tripura, Tripura.

... .. Petitioner/s

Versus

The Union Of India Through The Intelligence Officer, D.R.I. Regional Unit,
Muzaffarpur, Bihar. Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rupesh Kumar, Advocate
For the Opposite Party/s	:	Ms. Madhuri Lata, APP
For the D.R.I	:	Mr. Anshuman Singh, Sr. S.C. Mr. Ranjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioner, learned
counsel for the D.R.I. and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
NDPS Case No. 40/2018 arising out of DRI Case No. 15/2018-
19, lodged on 10.12.2018 under Sections 20(b), 23, 25, 29 of the
Narcotic Drugs and Psychotropic Substances Act, 1985.

3. As per the prosecution case, the petitioner has been
made accused upon recovery of 881.10 KG of ganja which is
the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. In fact, the
petitioner is a labourer and is working in Tripura. The petitioner
is in custody since 11.12.2018 but till date trial has not been
concluded. There is no direct involvement of the petitioner,



however, he is accused in one more case.

5. Learned counsel for the D.R.I. vehemently opposes the prayer for bail of the petitioner and submits that the general rule shall not apply in the case of the petitioner. The petitioner was earlier accused in the NDPS case as mentioned in paragraph no.3 of the bail petition. Moreover, huge quantity of NDPS material has been recovered from the possession of the petitioner.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with NDPS Case No. 40/2018 arising out of DRI Case No. 15/2018-19, pending before the learned Additional Sessions Judge, XIII, Muzaffarpur is hereby rejected.

9. However, the trial Court is directed to expedite the trial.

(Dr. Anshuman, J)

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