

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20939 of 2024

Arising Out of PS. Case No.-14 Year-2020 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Gaya

Vijay Singh S/o Nain Sukh R/o Rampur Bujurg, Aonla Alampur, P.S. -
Bhamora, Distt. - Bareilly, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Aditya, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 07-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with NCB
Case No. 14 of 2020/NDPS Case No. 43 of 2020 instituted for
the offence under Sections 8(c), 18, 25, 27A, 28, 29 & 59 of the
NDPS Act.

3. Prosecution case in short is that on secret
information police intercepted two cars and on search, there is
recovery of 15 KG of opium in 16 packets.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 02-11-2020. Petitioner is a
man of clean antecedent.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present



case. It is submitted that petitioner is the driver of the vehicle, and was oblivious of the fact that contraband was laden in the vehicle. It is next submitted that only one witness has been examined in this case and there is no likelihood of the trial being concluded in the near future. It is lastly submitted that charge is also framed in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act. Learned A.P.P.

7. Considering the aforesaid facts and circumstances of the case, recovery above the commercial quantity, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for grant of bail to the petitioner is hereby **rejected**.

9. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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