

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28908 of 2024

Arising Out of PS. Case No.-3 Year-2023 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Araria

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Md. Nijamu @ Md. Nijam @ Nijam Ansari S/O Md. Basir @ Md. Basir
Miyan R/O Village- Balua Bazar, Kunjrahi, Tola Ward No. 5, P.S- Birpur,
Distt.- Supaul.

... .. Petitioner/S

Versus

The Union Of India, Through Junior Intelligence Officer, Narcotics Control
Bureau, Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Madan Mohan, Adv. Mr. Rahul Raj, Adv.
For the Opposite Party/s :		Mr. K.N.Singh (A.D.S.G)
For the NCB	:	Mr. Rakesh Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 05-07-2024 Heard learned counsel for the petitioner and learned
counsel for the NCB.

2. The petitioner has renewed his prayer for bail in
connection with NCB Case No. 3 of 2023 instituted for the
offence under Sections 20(b)(ii)(C), 25, 29 of the N.D.P.S. Act
which was earlier dismissed as withdrawn vide order dated
5.12.2023 in Cr. Misc. NO. 65864 of 2023.

3. Prosecution case relates to recover of total 653.950
kg ganja like substance from the possession of co-accused
persons. This petitioner is said to have taken consignment of the
said ganja.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. He has falsely been implicated in this case on the basis of confessional statement of co-accused Dipesh Paswan. Nothing has been recovered from conscious possession of the petitioner. He is languishing in judicial custody since 28.6.2023.

5. Learned counsel appearing for on behalf of NCB has opposed the prayer of regular bail and submitted by way of counter affidavit that the although the seized ganja was recovered from possession of co-accused but the same was supplied by the present petitioner. The petitioner was arrested and confessed his involvement in supplying of the incriminating ganja. It is further submitted that the alleged seizure ganja is more than commercial quantity. Moreover, the petitioner has got several criminal antecedent.

6. In pursuance to the direction of this Court, a report dated 3.5.2024 with regard to present stage of trial has been received by which it appears that three witnesses have been examined out of eight witnesses and the trial is likely to be concluded within a period of six months.

7. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer



for bail stands rejected.

8. The trial Court is directed to expedite the trial and conclude the same within stipulated period of time (i.e. six months), failing which the petitioner may renew his prayer of bail.

(Sunil Kumar Panwar, J)

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