

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27070 of 2024

Arising Out of PS. Case No.-90 Year-2022 Thana- RAMGARH District- Kaimur (Bhabua)

Ram Prasad Ram S/o Late Budhan Ram R/o vill - Dewahalia, P.S. - Ramgarh,
Distt- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-07-2024 The present petition is by way of second attempt at the behest of the petitioner for grant of bail in connection with N.D.P.S. Case No. 12 of 2022, arising out of Ramgarh P.S. Case No. 90 of 2022, registered for the offence punishable under Sections 8(c), 20(b)(ii), C/27(A) of the N.D.P.S. Act, inasmuch as the earlier petition filed by the petitioner for grant of bail was dismissed by an order dated 16.01.2023 passed by this Court in Criminal Misc. No. 45455 of 2022.

2. The informant along with the police personnel had raided the house of the petitioner and 72 kgs. of ganja was recovered.

3. The learned counsel for the petitioner



has submitted that the petitioner is languishing in custody since 17.03.2022 and since last one and a half years not a single prosecution witness has been examined although four witnesses had stood examined before that, hence at least the trial be directed to be expedited.

4. *Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that the quantity of ganja recovered from the house of the petitioner is much more than the commercial quantity specified in the Schedule notified under the provisions of the N.D.P.S. Act, 1985, hence, considering the stringent provisions contained under Section 37(1)(b) of the N.D.P.S. Act, 1985, I am not inclined to grant the bail to the petitioner, apart from the fact that there is no change in



circumstance so so as to warrant reconsideration of the prayer of the petitioner for grant of regular bail, thus the present petition stands dismissed, nonetheless, the learned Trial Court is directed to expedite the trial.

(Mohit Kumar Shah, J)

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