

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56792 of 2024

Arising Out of PS. Case No.-135 Year-2022 Thana- PARBATTa District- Khagaria

SONU KUMAR @ AMAN KUMAR @ SHANU KUMAR SON OF SHIV
SHANKAR YADAV RESIDENT OF VILLAGE - DIYARA CHANDPUR,
POLICE STATION - FALKA, DISTRICT - KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar No. 3, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 04-10-2024 Heard the parties.

2. Petitioner seeks regular bail in connection with Parbatta P.S. Case No. 135 of 2022 dated 26.03.2022 registered for the offence(s) punishable under Section(s) 20, 22 and 50 of the N.D.P.S. Act.

3. Mr. Ranjeet Kumar Singh, learned Counsel appearing for the petitioner submits that this is the second attempt of the petitioner to get the relief of regular bail and his first prayer was rejected vide order dated 09.12.2022 passed in Cr. Misc. No. 46262 of 2022. Learned Counsel further submits that the petitioner has come again mainly on the ground of his long incarceration period in jail and the examination of three prosecution witnesses who have not revealed the specific



involvement of the petitioner in alleged recovery of narcotic materials, out of them the informant who was examined as P.W.- 2 deposed in the cross-examination before the Trial Court that the petitioner was simply seen near the village *dam* and the said statement is sufficient to prove that the petitioner was not present at the place of recovery and he was made accused mainly on the basis of suspicion. It is further submitted that in a similar matter relating to the recovery of huge quantity of narcotic material, an accused, namely, Gulab Kumar Singh @ Kari Singh @ Gulab Singh @ Kari Baba has been granted bail by the learned co-ordinate bench of this Court vide order dated 05.09.2024 passed in Cr. Misc. No. 44097 of 2024.

4. Mr. Binod Kumar No. 3, learned APP appearing for the State has opposed the bail prayer of the petitioner and submitted that the matter relates to the huge quantity of '*ganja*'.

5. Heard both the sides and perused the relevant materials including the F.I.R.. Though, the petitioner has been languishing in jail since 28.03.2022 but considering the recovery of large quantity of narcotic material of 263.670 kg '*ganja*' and also the fact that the petitioner is alleged to have been arrested near the place of recovery in suspicious condition when he attempted to flee but the police caught him and other



co-accused persons who were also present with him managed to escape. As per the report sent by the Trial Court regarding the status of the trial of the petitioner, three prosecution witnesses have been examined which shows that the trial is running at a normal speed and still three witnesses are yet to be examined and the petitioner has one criminal antecedent.

6. Considering all these above facts, this Court is not persuaded to take a lenient approach towards the prayer of this petitioner. Accordingly, his prayer for regular bail stands rejected.

7. The trial Court is directed to expedite the trial of the petitioner and make all endeavours to conclude his trial in the next nine months.

(Shailendra Singh, J)

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