

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60060 of 2024

Arising Out of PS. Case No.-263 Year-2022 Thana- MUFFASIL District- Aurangabad

Sujit Yadav S/o- Vijay Yadav Resident of Village- Gadaki, P.S. Gidhaur,
District- Chatra Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-09-2024 Heard Mr. Binod Kumar Pandey, learned counsel for
the petitioner and Mr. Jagdhar Prasad, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 21.07.2022, in connection with Aurangabad Muffasil P.S. Case No.263 of 2022, FIR dated 20.07.2022 for the offences punishable under Sections 8/17(b)/18(b) of the N.D.P.S. Act.

3. Earlier the prayer for bail of the petitioner was rejected vide order dated 19.04.2023 passed in Cr. Misc. No. 61676 of 2022. Thereafter, the petitioner has again moved before this Court for grant of regular bail which was rejected vide order dated 12.01.2024 passed in Cr. Misc. No. 81197 of 2023.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that as per the allegation in the FIR 1 kg 200 gm dry and 1 kg wet opium like substance has been recovered from the bag of the petitioner. The petitioner is rotting in judicial custody since 21.07.2022.



5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the recovered contraband is more than the commercial quantity, so there is embargo under Section 37 of the N.D.P.S. Act.

6. Vide order dated 23.08.2024, a report with regard to the present status of the trial was called for. Report of the learned Trial Court dated 02.09.2024 reveals that seven charge-sheet witnesses have already been examined.

7. Considering the facts and circumstances of the case as well as the report of the trial Court, I am not inclined to enlarge the petitioner on bail in connection with Aurangabad Muffasil P.S. Case No.263 of 2022 pending in the Court of learned Special Judge (N.D.P.S.) Cum 1st Additional District and Sessions Judge, Aurangabad.

8. Prayer is refused.

9. However the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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