

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65327 of 2023

Arising Out of PS. Case No.-29 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhojpur

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Madan Singh Saundhiya @ Madan Singh Son Of Late Raghu Singh Village-
Roujya, House No. 28, Ward No. 10, Ps- Garotha, Dist- Mandsaur (M.P.), Pin
Code- 458880

... .. Petitioner/s

Versus

The Union Of India Through the Intelligence Officer, Narcotics Control
Bureau, Patna Zonal Unit Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate Mr. Shantam Shivam, Advocate Mr. Adarsh Singh, Advocate Mr. Rabish Kumar, Advocate
For the UOI/NCB	:	Mr. Ram Anurag Singh, CGC

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

10 10-05-2024 Heard Ld. counsel for the Petitioner and Ld. APP for the

State.

2. The petitioner seeks regular bail in connection with

NDPS Case No. 57 of 2022 arising out of NCB Case No. 29 of

2021 dated 30.11.2021, registered for the offences punishable

under Section 8(c) read with 21(c), 22(c) and 29 of the N.D.P.S

Act.

3. As per allegation, 270 gram Morphen, 315 gram

Aprazolam and 500 gram stone were recovered from the accused

persons.

4. Ld. counsel for the petitioner submits that the

petitioner is innocent and has falsely been implicated in this case.

He further submits that the petitioner is languishing in jail since

30.11.2021 i.e., for about two and half years and trial is not yet



concluded. Hence, the Petitioner is entitled to enlargement on bail.

5. It has also been stated in paragraph no. 3 that the petitioner has no criminal antecedents.

6. However, the prayer of the Petitioner is being opposed by Ld. Counsel for the NCB/UOI submitting that the allegation against the Petitioner is serious in nature. There is recovery of contraband in much more than commercial quantity from the possession of the Petitioner. Hence, the rigors of Section 37 of the NDPS Act comes into play.

7. Considered the submissions of both the parties and perused the report received from the Trial Court, as per which out of six prosecution witnesses, one witness has been examined.

8. Considering the aforesaid facts and circumstances, particularly the quantity of the recovered contraband, this Court is not persuaded to enlarge the petitioner on bail at this stage. Accordingly, the present petition is dismissed.

9. However, Ld. Trial Court is directed to expedite the Trial and in case the Trial is not concluded within six months, the Petitioner would be at liberty to renew his prayer for bail.

(Jitendra Kumar, J.)

shoaib/Ravi
Shankar

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