

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77190 of 2023

Arising Out of PS. Case No.-44 Year-2018 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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OM PRAKASH Son of Raj Pal Singh Resident of Village and Post - Puraw,
Police Station - Mlawan, District - Etah (U.P.)

... .. Petitioner/s

Versus

The Union of India New Delhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Opposite Party/s : Ms. Shail Kumari, CGC

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 23-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with NCB Case no. 44 of 2018 (Spl. Case no. 118 of 2018) registered under sections 20, 25 and 29 of the N.D.P.S. Act.

3. As per the prosecution case, on search being conducted a total of 732 kgs of *ganja* was recovered from the truck in question and the petitioner who was seated in the truck was taken into custody.

4. It is submitted by learned counsel for the petitioner that inspite of the petitioner being in custody since 13.8.2019 and cooperating in the trial, the trial has still not concluded and there is no chance of the same concluding in the



near future. He undertakes to cooperate in the trial on his release on bail.

5. The application for bail is opposed by learned counsel appearing for the Union of India.

6. It is submitted by learned counsel for the Union of India that the evidence of the prosecution witnesses has already been closed. The case is at the stage of argument and will be concluded very soon. It is further submitted that there is a huge recovery of 732 kgs of *ganja* from the truck being driven by this petitioner.

7. A report was called for from the learned trial Court. As per the report received contained in letter no. 06 of 2024 dated 6.2.2024 from the Exclusive Special (N.D.P.S.) Court no.1, Patna, the case is pending for statement of accused under section 313 Cr.P.C. and the next date fixed was 8.2.2024.

8. Learned counsel for the petitioner on instructions submits that now the case is fixed for argument of the parties.

9. Having heard learned counsel for the parties and taking into consideration the allegations of recovery of 732 kgs of *ganja* from the truck being driven by the petitioner and the petitioner having been arrested at the spot, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



10. Learned trial Court is directed to expedite the trial and to conclude the same within a period of 4 months from the date of communication of this order.

(Partha Sarthy, J)

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