

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82853 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Araria

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Dipesh Kumar, S/O Dinesh Paswan R/O Village- Bela, Ward No.-04, P.S-
Basmatiya, Distt.- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union Of India Through Junior Intelligence Officer, Narcotics Control
Bureau, Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramesh Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Sanjay Kumar Pandey, APP
For the UOI	:	None

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State. But, no one appears on behalf of Union of

India.

2. The petitioner seeks regular bail in connection with

Special (N.D.P.S.) P.S. Case No. 13 of 2023 dated 18.02.2023

arising out of NCB Crime No.03 of 2023 under Sections 8(c),

20(b)(ii)(C), 25 and 29 of the N.D.P.S. Act.

3. As per the prosecution case, total 653.950 kgs of

ganja was recovered which is the subject matter of the present

case.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel also submits that from the contents of the FIR itself, it is crystal clear that the said recovery of *ganja* has been made from two different accused persons. From the possession of the petitioner, only 246 kgs of *ganja* has been recovered. Counsel further submits that the petitioner and his father, both are accused and the petitioner is aged about only 19 years and his name has been figured in this case only due to the reason that his father was involved in commission of such type of crime.

5. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is clean and he is in custody since 20.02.2023. Counsel also submits that the petitioner is a student and there is every chance of his recovery.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that huge quantity of *ganja* has been recovered and therefore, at this stage the bail may not be granted to the petitioner.

7. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner at this stage.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Special (N.D.P.S.) P.S. Case No. 13 of 2023 arising out of NCB Crime No.03 of 2023, pending



before the learned Sessions Judge-cum-Special Judge, N.D.P.S.,
Araria is **hereby rejected**.

9. The Trial Court is directed to expedite the trial and
the agency who filed the prosecution is directed to expedite the
trial so that it may be concluded within nine months.

(Dr. Anshuman, J.)

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