

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1998 of 2024

Arising Out of PS. Case No.-102 Year-2022 Thana- SURSAND District- Sitamarhi

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Ram Prasad Mandal, Son of Jhauri Mandal, Resident of Village- Raima, Ward
No.-14, P.S.- Saharghat, Distt.- Madhubani

... .. Petitioner/s

Versus

1. The Union of India Through The Secretary, Ministry of Home, Narcotic
Drugs Control Bureau, New Delhi Govt. of India
2. The State of Bihar Through The Deptt. of Narcotic Drugs Control Bureau,
Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mohit Raj, Adv. Mr. Shantanu Kumar, Adv.
For the UOI	:	Mr. K.N. Singh (A.S.G)
For the State	:	Mr. Binod Kumar No. 3, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 09-02-2024 1. Heard learned counsel for the petitioner and the

learned counsel for UOI and learned APP for the State.
2. Petitioner seeks regular bail in connection with

Sursand P.S. Case No. 102 of 2022 dated 03.03.2022

registered for the offences punishable under Section 414 of

the Indian Penal Code and Sections 8(c), 20(b)(ii)(c), 22(c),

23(c), 25 and 29 of the NDPS Act.
3. The main submissions advanced by learned

counsel for the petitioner are that the petitioner and co-

accused Aarzu Raeen @ Arzu Rain @ Aarju Rayeen preferred

Cr. Misc. Nos. 32490/2022 and 29444/2022 respectively and



prayer of both petitioners was rejected vide order dated 01.09.2022 and thereafter, co-accused preferred Cr. Misc. No. 13152/2023 which was allowed by this Bench vide order dated 06.10.2023 and the petitioner's case stands on similar footing with the said co-accused and the petitioner is alleged to be found in the alleged vehicle but the said allegation is completely false and upon him, the charge has been framed on 11.11.2022 and thereafter, no progress has been made in his trial, in fact the petitioner was sitting in the alleged vehicle in the capacity of a driver but he had no knowledge of the alleged material which was found inside the alleged vehicle.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the nature of allegation which relates to the recovery of 108.6kg of narcotic material (*ganja*) which is said to have been recovered from a vehicle and the petitioner was found being seated in the said vehicle when the recovery was made, though the petitioner has been languishing in jail since 04.03.2022 but considering the recovery of huge quantity of contraband and petitioner's presence in the alleged vehicle, this Court is not inclined to release him on bail. Accordingly, petitioner's second bail prayer stands rejected.



6. The trial court is directed to expedite the trial of the petitioner and conclude the same in the next 18 (eighteen) months from the date of this order.

(Shailendra Singh, J)

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