

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79584 of 2024

Arising Out of PS. Case No.-34 Year-2022 Thana- RATANPUR District- Supaul

Vijay Mukhiya Son of Late Ramchandra Mukhiya, R/o Village- Piprahi, Ward
No. 03, P.S.- Ratanpura, Dist.- Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 28-01-2025 Heard Mr. Akash Kumar Mishra, the learned
counsel for the petitioner and Mr. Surendra Prasad Singh, the
learned Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
03.07.2022, in connection with N.D.P.S. (Spl.) No. 18 of 2022,
arising out of Ratanpura P.S. Case No. 34 of 2022, FIR dated
04.07.2022, registered for the offences punishable under
Sections 8, 20(b)(ii)(c), 21(c), 22(c) and 29 of the N.D.P.S. Act.

3. Earlier the petitioner has moved before this
Hon'ble Court in Cr. Misc. No. 1058 of 2023, which was
rejected vide order dated 07.08.2023.

4. According to the prosecution case, after receiving
confidential information, the informant along with the raiding
team conducted raid and apprehended the petitioner along with
195 kg of *ganja*.



5. Learned counsel for the petitioner submits that as per allegation in the FIR, 195 kg of *ganja* has been recovered from the possession of the petitioner. He further submits that there is non-compliance of Sections 50 and 58 of the NDPS Act. Apart from that, petitioner is in custody since 03.07.2022 and trial has not been concluded as yet.

6. Vide order dated 13.12.2024, a report was called for with regard to the stage of the trial and report dated 07.01.2025 of the learned trial Court reveals that out of nine chargesheeted witnesses, eight witnesses have already been examined and case is pending for the examination of one witness, i.e., the investigating officer of the present case.

7. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances, the nature of allegation levelled in the FIR and the report of the learned trial Court, I am **not** inclined to enlarge the petitioner on bail in connection with N.D.P.S. (Spl.) No. 18 of 2022, arising out of Ratanpura P.S. Case No. 34 of 2022, pending in the Court of learned Additional Sessions Judge-II, Supaul.

9. Prayer is refused.



10. 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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