

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47401 of 2015

Arising Out of PS.Case No. -28 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Munna Mian, s/o Tahir Mian, R/o Village- Laxmipur P.S. Raxaul, Dist East
Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 29-10-2015 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing on

behalf of the State.

This application for grant of regular bail
arises out of Motihari Town P.S. Case No. 28 of
2014, disclosing offences under Sections 20/22 of
the Narcotic Drugs and Psychotropic Substance Act,
1985.

The petitioner has been implicated on the
basis of statement made by one Jairun Nesa from
whose possession charas was recovered by the
police. She is said to have disclosed the name of

the petitioner to whom the said charas, allegedly belonged.

Learned counsel for the petitioner submits that since his implication is based solely on the statement of said accused Jairun Nesa, he should be granted the privilege of regular bail.

From paragraph 3 of the application, it appears that the petitioner has criminal antecedent and accused in a case registered for the offences punishable under Section 489A/489B/489C.

In view of the provisions contained in Section 37 of the Narcotic Drugs and Psychotropic Substance Act, 1985, I do not find it to be a fit case where privilege of regular bail should be granted to the petitioner.

Learned Counsel for the petitioner has vehemently argued that mandatory requirements of Section 42 of the said Act have not been complied with.

Such plea of defence shall certainly be available to him at the stage of trial.

Learned counsel for the petitioner appears to be right in his submission that in the facts and circumstance of the case, the trial must be expedited. While not granting the privilege of regular bail, I direct the Court below to expedite trial and conclude it preferably within a period of six months from the date of receipt/production of a copy of this order.

This application for regular bail stands rejected.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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