

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21871 of 2015

Arising Out of PS.Case No. -156 Year- 2012 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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1. Junaid Alam Son of Nazir Mian resident of Village- Murli Tola Bhelahi,
P.s Bhelahi, District East champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Mojibur Rahman

For the Opposite Party/s : Mr. B. N. Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 21-09-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Sections 20, 22 and 23 of the Narcotics Drugs and Psychotropic Substance Act.

The petitioner was apprehended in front of the gate of Bahuarwa Sugar Factory and from possession of the petitioner four packets are said to have been recovered.

Learned counsel for the petitioner submits that from perusal of the seizure-list, it would appear that the *Charas* was recovered in front of the gate of Bahuarwa Sugar Factory and not from the personal possession of the petitioner. A copy of the seizure-list was not handed over to the petitioner nor the seizure-

list bears the signature of the petitioner. Petitioner is in jail since 13.08.2012.

On perusal of the First Information Report, it appears that commercial quantity of substance like *Charas* is said to have been recovered from the possession of the petitioner.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

Since the petitioner is in jail for more than three years, the trial court is directed to expedite the trial and hold the same on day-to-day basis so that the trial may be concluded within six months from the date of receipt of a copy of this order. The Superintendent of Police, Bettiah, is also directed to ensure the attendance of all witnesses during the course of trial so that trial may be concluded within six months. If the trial is not concluded, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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