

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38740 of 2016

Arising Out of PS.Case No. -172 Year- 2015 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Vijay Kumar Das @ Vijay Kumar Son of Dina Nath Das Resident of
Village - Mauza Raxaul Ward No. 3, P.O. & P.S. - Birganj, District -
Motihari (East Champaran).

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India through its Commandant 13th B.N.S.S.B. Pantola
(Motihari).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. J.N. Thakur, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 05-09-2016 Heard learned counsel for the petitioner and the

State.

Petitioner is languishing in custody since
13.07.2015 in a case registered for the offences punishable
under Sections 19, 20, 22, 23, 24 of the Narcotics Drugs
and Psychotropic Substances Act.

The prosecution case is that from the house of
petitioner 270 gm. brown sugar, 14 K.g of Sodium
Carbonate, 01 K.g black colour powder, 600 gm. chemical
powder, 450 gm. Jink powder, 16 gm. clear powder, 06
pieces of industrial colour, 02 weighting machines have
been found.

It is submitted by the learned counsel for the

petitioner that recovery has been made from the joint family house of the petitioner. Seizure list does not appear the signature of the petitioner. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Mr. J.N. Thakur, learned counsel for the State submits that commercial quantity of brown sugar has been recovered. Investigation has already concluded. The impugned order suggests that the trial is at the stage of adducing evidence.

Considering the quantity of recovery and in view of the embargo under Section 37 of the Narcotics Drugs and Psychotropic Substances Act, this Court is not inclined to grant bail to the petitioner in connection with Raxaul P.S. Case No. 172 of 2015, pending in the court of learned 3rd Additional Sessions Judge, Motihari, East Champaran.

Let, the trial be expedited.

(Dinesh Kumar Singh, J)

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