

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33868 of 2016

Arising Out of PS.Case No. -49 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Shyam Narayan Choudhary S/o late Jagarnath Choudhary R/V-
Daulatpur, P.S. Sadar Hajipur, Distt Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Sri Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 27-10-2016

The petitioner is languishing in custody since 13.04.2016 in a case registered for the offences punishable under Sections 8/20(b)(ii)(B), 29/31 of the Narcotic Drugs & Psychotropic Substances Act.

The prosecution case is that from the house of the petitioner 100 fixed deposit certificates and 7 kgs of ganja were recovered.

It is submitted by learned counsel for the petitioner that recovery was made on 07.02.2016 when the petitioner was in custody in connection with Sadar(Hajipur) P.S. Case No. 491 of 2015 since 01.10.2015.

It is submitted by learned A.P.P after going through the case diary that though the petitioner was in custody at the time of seizure but petitioner is accused in (i) Hajipur(Sadar) P.S. Case No. 12 of 1999 registered under Section 20/22 of the Narcotic Drugs & Psychotropic

Substances Act (ii) Hajipur (Sadar) P.S. Case No. 08 of 2007 registered under Section 47(a) of the Excise Act and Section 22 of the Narcotic Drugs & Psychotropic Substances Act (iii) Hajipur(Sadar) P.S. Case No. 14 of 2009, registered under Sections 20/22 of the Narcotic Drugs & Psychotropic Substances Act (iv) Hajipur (Sadar) P.S. Case No. 491 of 2015 registered under Sections 489(C) of the Indian Penal Code and Sections 20/23 of the Narcotic Drugs & Psychotropic Substances Act (v) C-2A No. 2 of 2007 registered under Section 47(a) of the Excise Act. Though learned A.P.P submits that investigation has already concluded.

It is submitted by learned counsel for the petitioner that petitioner has mentioned the cases in paragraph No. 3 of the petition but he is on bail in those cases.

Keeping in view of the serious criminal antecedent of the petitioner, this Court is not inclined to grant bail of the petitioner at present.

Accordingly the application stands dismissed in connection with Sadar(Hajipur) P.S. Case No. 49 of 2016, pending in the Court of learned District & Sessions Judge, Vaishali at Hajipur.

Let learned Court below conclude the trial expeditiously.

(Dinesh Kumar Singh, J)

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