

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43241 of 2016

Arising Out of PS.Case No. -138 Year- 2015 Thana -NAWINAGAR District- AURANGABAD
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1. Chhotu Kumar Yadav S/o Karamdeo Yadav
2. Naukej Kumar Patel S/o Raghuvir Singh
Both R/o Village- Kanker, P.S.- Barem O.P., Navinagar, District-
Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party
=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1
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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-12-2016 Heard Sri Ashok Kumar Singh, learned counsel for

the petitioners and Sri Manoj Kumar, learned Addl. Public

Prosecutor.

Two petitioners, who are in custody in Navinagar
P.S. Case No.138/15, G.R. No.6/15/7/15 registered for the offence
under Sections 20B/23/25/27A/29 of the N.D.P.S. Act, have
prayed for grant of bail.

It was submitted by learned counsel for the
petitioners that the petitioners had taken lift in SCORPIO and
subsequently after noticing the police, the driver of SCORPIO fled
away and the petitioners were apprehended. It has been argued
that the petitioners are innocent. However, he accepts that 85 Kg



of Ganja was recovered from the aforesaid vehicle.

Considering the nature of accusation as well as the provision contained in Section 37 of the N.D.P.S. Act, it would be difficult for this Court to extend the privilege of bail. Accordingly, the petition stands dismissed.

However, while dismissing the present petition, it is desirable to observe that the court below may take appropriate steps, so that the case may come to its logical end without unnecessary delay.

(Rakesh Kumar, J)

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