

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.245 of 2016**

Arising Out of PS.Case No. -82 Year- 2014 Thana -NAWANGAR District- BUXAR

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Umendra Kumar Pathak

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Pushpa Sinha 2 (App)

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

ORAL ORDER

2 05-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner has renewed his prayer for bail in a case registered for the offences punishable under Sections 420 and 414 of the Indian Penal Code and sections 20(B)(II) (C) 22,27(A) and 29 of the NDPS Act.

On information, the police intercepted a truck at NH 30 while some goods were being unloaded on Scorpio. From the truck 6 quintals 67 kilograms and 380 gms. and from Scorpio 82 kilogram 30 gms. Ganja were recovered. The petitioner was the driver of the truck.

It is submitted by the learned counsel for the petitioner that the petitioner was transporting coal and was not aware about the ganja being kept in the truck. More over, charges have been framed on 2.12.2014 and still only three witnesses have been

examined.

Considering the recovery of commercial quantity, this court is not inclined to grant bail to the petitioner in connection with NDPS Case no. 5 of 2014 arising out of Nawanagar P.S. Case no. 82 of 2014 pending in the court of learned Special Judge cum Addl. Sessions judge I, Buxar.

This application is, accordingly, dismissed. However, it is expected from the trial court to conclude the trial within a period of one year. If the trial is not concluded within one year, the petitioner will be at liberty to renew his prayer for bail.

**(Dinesh Kumar Singh, J)**

Anil/-

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