

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36164 of 2016

Arising Out of PS.Case No. -81 Year- 2014 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

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Ash Narain Mukhiya Son of Late Budhan Mukhiya Resident of village -
Sisihani, P.S. Pakaridayal, District - Motihari (East Champaran)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhananjay Kumar Tiwary, Advocate

For the Opposite Party : Mr. Smt. Sucheta Yadav (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-10-2016 Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner wants to renew the prayer of bail which was earlier rejected by order dated 15.10.2015 passed in Cri. Misc. No. 28211 of 2015, on the ground that there is violation of Section 50 of N.D.P.S. Act. No proper sampling was done at the spot and as such F.S.L. Report received is not reliable and, as such, the petitioner deserves sympathetic consideration, to which the learned A.P.P. seriously opposes by submitting that from possession of the petitioner 22 bags of *charas* weighing 11 Kgs. was recovered for which he did not show any paper. The F.S.L. Report was called for which also confirms that *charas* was found in the polythene packets which was sent for examination.

In the facts and circumstances stated above, finding no good ground for reconsideration of prayer of the bail, again prayer of the bail of the petitioner stands rejected.

However, considering the detention of the petitioner, let the trial be expedited and concluded as early as possible preferably within nine months.

(Jitendra Mohan Sharma, J.)

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