

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8935 of 2016

Arising Out of PS.Case No. -25 Year- 2014 Thana -BHELDI District- SARAN

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Ram Bachchan Rai @ Bachchan Rai son of late Hira Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.

For the State : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 11-03-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in jail since 18.02.2014 in a case registered for the offences punishable under Sections 20 and 22 of the NDPS Act.

The prosecution case is that 29 Kgs. of Ganja were recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that recovery cannot be treated from the possession of the petitioner rather it was recovered from the joint family house particularly from an open area. The petitioner is suffering from heart ailment and was also granted provisional bail vide Cr. Misc. No. 21770 of 2015 but he has not misused the privilege of provisional bail.

Considering the commercial quantity of recovery, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected in connection with Bheldi P.S. Case No. 25 of 2014 pending in the court of learned Addl. District Judge-1st, Chapra.

Let the trial be expedited.

However, learned court below, after calling for a report from jail with regard to health condition of the petitioner, may consider the prayer for provisional bail of the petitioner.

(Dinesh Kumar Singh, J)

Amrendra/-

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