

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3181 of 2016**

Arising Out of PS.Case No. -26 Year- 2014 Thana -RAXAUL District-  
EASTCHAMPARAN(MOTIHARI)

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Mumtaj Dewan

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Shri Prakash Tiwari, Adv.

For the Opposite Party/s : Mr. M.Haque(App)

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

2      20-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in jail since 15.01.2014 in a case registered for the offences punishable under Sections 20, 22, 23 and 24 of the NDPS Act.

Three persons namely Ashok Kumar, Mahindra Kumar Rathaur and the petitioner were travelling on a motorcycle from which 5.5 kg of charas in sixteen sachets were recovered.

It is submitted by learned counsel for the petitioner that the petitioner's only fault is that he took lift on the motorcycle and he was not aware about the charas being kept in the motorcycle. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

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

Accordingly, the prayer for bail is rejected in connection with NDPS Case No. 11 of 2014 arising out of Raxaul P.S.Case No. 26 of 2014 pending in the court of learned 1<sup>st</sup> Addl. District and Sessions Judge, Motihari.

Let the trial be expedited.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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