

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51599 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -DALSINGHSARAI District- SAMASTIPUR

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Brajesh Kumar S/o Kamta Prasad Resident of Village- Raibagh, P.S.-
Didarganj, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kumar

For the Opposite Party/s : Mr. Ram Bachan Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 01-11-2017 Heard the learned counsel for the petitioner as
well as the learned A.P.P. for the State.

The petitioner wants to renew his prayer for bail which was earlier rejected by order dated 05.07.2017 passed in Cr. Misc. No. 24558 of 2017, on the ground that the petitioner was driving the Bolero, he was having no knowledge regarding the said ganja, the petitioner has got no criminal antecedent and without any fault he is suffering in custody since 21.02.2017, co-accused Ashok Kumar who was also found sitting in the Bolero has already been allowed bail vide Cr. Misc. No. 27634 of 2017 as there is no compliance of section 50 of the N.D.P.S. Act and section 100 of the Cr.P.C, the ganja seized from the Bolero was 50 kg., three persons were sitting in the vehicle hence the ganja



seized from the vehicle cannot be attributable only to the petitioner.

The learned A.P.P. seriously opposed prayer for bail of the petitioner by submitting that the petitioner was driving the Bolero from which 50 kg. ganja was recovered and the said Bolero was escorting a truck from which 72 pocket ganja each containing 10 kgs was recovered.

In the facts and circumstances stated above, finding no good ground for reconsideration of prayer for bail, again prayer for bail of the petitioner stands rejected in connection with Dalsing Sarai P.S. Case No. 39 of 2017/ N.D.P.S. Case No. 06 of 2017 pending in the court of A.D.J. 1st- Cum- Special Judge, Samastipur.

However, the learned trial court is directed to expedite the trial and to conclude the same preferably within a period of six months after keeping the same on the priority basis.

(Jitendra Mohan Sharma, J)

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