

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3061 of 2017

Arising Out of PS.Case No. -88 Year- 2015 Thana -VIJAYPUR District- GOPALGANJ

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Pramod Mishra, Son of Satyadeo Mishra, Resident of village - Tekaniya,
Police Station - Guthni, District - Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

04/ 09-08-2017

Heard learned counsel for the petitioner and

Mr. J. N. Thakur, learned counsel for the State.

The petitioner has renewed the prayer for bail in a case registered for the offences punishable under Sections 8, 20 and 22 of the NDPS Act.

The prosecution case is that on secret information that illegal trafficking of Ganja is going on, Dharmendra Kumar, SHO of Vijaipur Police Station raided the dairy farm of co-accused Bipin Verma. The petitioner was arrested from the dairy farm (Khatal) from where, 16 kgs. of Ganja was recovered. The petitioner handed over the key of a locked room from which 9 kgs. of Ganja was recovered.

It is submitted by learned counsel for the



petitioner that the petitioner was simply a labourer and he used to feed the cattle and he had no knowledge about the alleged contraband.

Mr. J.N. Thakur, learned counsel for the State submits that commercial quantity of contraband Ganja was recovered and the petitioner was an employee of the dairy farm and was in occupation of the area from where, the contraband was seized.

It is further submitted by learned counsel for the petitioner that the petitioner has no criminal antecedent.

Counter affidavit has been filed on behalf of S.P., Gopalganj dated 13.07.2017, which reflects that out of 8 charge sheet witnesses, 6 have already been examined till 18.04.2017. The counter affidavit fails to assign any reason for non-examination of any witness since the last three months.

However, keeping in view the commercial quantity of recovery, this Court is not inclined to revise its earlier order, but it is expected from S.P., Gopalganj to produce the remaining witnesses, if already not been produced, within a period of one month and it is expected from learned Ist Additional Sessions Judge, Gopalganj to conclude the trial of Trial No. 36 of 2015, arising out of Vijaipur P.S. Case No. 88 of 2015, within a



period of three months.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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