

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50028 of 2017

Arising Out of PS.Case No. -85 Year- 2016 Thana -SANJHAULI District- SASARAM (ROHTAS)

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1. Munilal Sah S/o Late Krishna Sah, @ Kisan Sah, R/o Village- Amaithi,
P.S.- Sanjhauli, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-11-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Sanjhauli P.S. Case No. 85 of 2016, registered for the offences punishable under Sections 8, 20(b)(ii)(B) of the N.D.P.S. Act.

Allegation as per F.I.R. is of recovery of 16 kg. ganja from the house of the petitioner.

Submission of learned counsel for the petitioner is that the petitioner is named in F.I.R. He has been falsely implicated in this case only on suspicion. The alleged recovery of ganja is said to have been made from a room situated in the house. No incriminating article has been recovered from his conscious possession rather from the house where mother, brothers' wives and his wife is living with him. There is nothing to show on record that the same has been recovered from



conscious possession of whom and he is in custody for nine months. Co-accused, namely, Lakshmina Devi has been granted bail by a coordinate Bench of this Court vide order dated 16.08.2017 passed in Criminal Miscellaneous No. 38237 of 2017.

Heard learned APP also.

Having heard both sides and in view of facts and circumstances that other co-accused has been granted bail since she is a lady and the wife of the petitioner. There is direct allegation of recovery of 16 kg. ganja from the house of the petitioner. In such view of the matter, I am not inclined to grant bail to the petitioner. Accordingly, this application is dismissed.

However, considering the fact that he is in custody for nine months. The learned court below is directed to expedite the trial and conclude the same within a period of seven months. At the same time, the Superintendent of Police, Rohtas at Sasaram is directed to ensure the presence of the witnesses in court so that the trial be concluded within specified period.

(Vinod Kumar Sinha, J)

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