

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1925 of 2017

Arising Out of PS.Case No. -295 Year- 2016 Thana -UDWANTNAGAR District- BHOJPUR

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Anuj Kumar @ Anup Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Pd. Singh

For the Opposite Party/s : Mr. Manoj Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 28-02-2017 The petitioner is in custody since 03.08.2016 in connection with N.D.P.S. P.S. Case No. 16 of 2016, arising out of Udwant Nagar P.S. Case No. 295 of 2016 registered for offences punishable under Sections 20B(II)(C)/22(C) of Narcotic Drugs and Psychotropic Substances Act (NDPS) Act.

Allegation is of recovery of 165 Kilograms of Ganja.

It has been submitted on behalf of the petitioner that nothing has been recovered from conscious possession of the petitioner or from the house of the petitioner. Further from perusal of F.I.R. it will appear that the said recovery has been made from the house of one co-accused, namely, Gopal Prasad and petitioner was only present at his resident at the time of said recovery. Petitioner has nothing to do with the said recovery and he has been in judicial custody for more than six months.



Learned counsel for the State opposed the prayer for bail by stating that huge quantity of Ganja has been recovered in this case.

Having heard both sides, in view of the submissions made above and as police had intercepted two vehicles and huge quantity of ganja was recovered and an the accused persons arrested at the spot, disclosed that they used to supply ganja to petitioner and other accused, namely, Gopal Prasad, thereafter, the police raided the house of the said Gopal Prasad, from where huge quantity of Ganja was recovered, as such, I am not inclined to grant the petitioner, the privilege of regular bail, at least at this stage.

However, the trial court is directed to expedite the trial and try to conclude it within a period of nine months and if the trial is not concluded within the aforesaid period, the petitioner will be at liberty to renew his prayer for bail in the court below itself, which will be considered by the court below on the merit of the case without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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