

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12934 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -JAKKANPUR District- PATNA

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1. Subhash Rai, S/o Harendra Rai, Resident of Village- Chainpura, P.S.-
Raghopur, District- Vaishali.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhirendra Kumar Sinha, Adv.

For the Opposite Party : Mr. Ramchandra Singh, APP 51

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 01-05-2017 Heard the learned counsel for the petitioner
and the State.

This is a petition for grant of regular bail for
offence under Section 20(B) of the Narcotic Drugs and
Psychotropic Substances Act.

From the bag of this petitioner five kilogram of
ganja was recovered and the petitioner has sated on oath
that he has got no criminal antecedent and is in custody
since 09.01.2017.

Submission of the petitioner is that though the
police has submitted reported under Section 173 of the
Criminal Procedure Code, still the investigation has been
kept pending for receipt of the report of Forensic Science
Laboratory, Kolkata. The case diary would not reveal that
any sample was taken from the recovered articles or the



same was sealed and packed and sent for chemical examination. In the circumstances, everything is apparently doubtful.

Considering the nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail.

The prayer for bail is **refused**.

However, the petitioner shall be at liberty to renew prayer for bail, if the trial is not concluded within nine months, from the date of receipt of this order.

(Birendra Kumar, J)

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