

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43033 of 2015

Arising Out of PS.Case No. -123 Year- 2014 Thana -PATLIPUTRA District- PATNA

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Ganesh Sah Son of Late Banarsi Sah Resident of Village - Neharu Nagar
(In front of Shanti apartment), Police Station - Patliputra, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navin Kumar

For the Opposite Party/s : Mr. Ajit Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

05/ 25-01-2017

Heard learned counsels of the petitioner and
the State.

The petitioner has renewed the prayer for bail
in a case registered for the offences punishable under Sections
20(B)(ii)C/8/27(A) of the NDPS Act.

From the possession of the petitioner 1 ½ kgs.
Ganja were recovered and from the house of the petitioner 21 kgs.
Ganja were recovered.

It is submitted by learned counsel for the
petitioner that the recovery is from the joint family house. The
petitioner is more than 80 years of age.

Considering the commercial quantity of
recovery earlier the prayer for bail of the petitioner was rejected



vide order dated 15.01.2015 passed in Cr. Misc. No. 28257 of 2014.

The order date 09.01.2017 passed by the learned court below has been placed which reflects that the prosecution evidence has been closed on 14.11.2016 and the trial is fixed for defence evidence. Thereafter the learned trial court vide order dated 09.01.2017 has refused the prayer of the petitioner for production of the seized articles and the petitioner has challenged the same before this Court.

Considering the present stage of the trial and the recovery of the commercial quantity of contraband, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Special Case No. 20 of 2014 arising out of Patliputra P.S. Case No. 123 of 2014 pending in the court of learned Additional Sessions Judge-VIIth, Patna.

It is expected from the learned trial court to expedite the trial.

(Dinesh Kumar Singh, J)

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