

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29522 of 2017

Arising Out of PS.Case No. -718 Year- 2016 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Md. Saheb, son of Md. Jamalu @ Ahmad Jamaluddin , R/o Village-
Naurngbagh Baswariya, P.S.- Bettiah, Town, District- West Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. The Union of India through Director Narcotic Control Bureau, Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Ajay Kumar-1
For the Union of India : Mr. Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 11-09-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Trial
No. 17 of 2017, arising out of Bettiah Town P.S. Case No. 718 of
2016 registered for the offences punishable under Sections 20, 23,
25, 27A and 29 of NDPS Act.

Allegation against the petitioner is of recovery of 200
grams of smack from his possession.

Submission of learned counsel for the petitioner is that
there is violation of Sections 42 and 50 of NDPS Act and even
sample has not been collected by following the prescribed
provision under the Act. Further submission is that there is no
report of Expert regarding contents of the seized article and he is



in custody for eight months.

Heard learned APP and learned Central Government Counsel. They have opposed the prayer for bail.

Having heard both sides and in view of facts and circumstances of the case and also considering that it is not the proper stage to consider the aforesaid argument, however, in view of recovery of smack, I am not inclined to grant bail to the petitioner.

However, as the petitioner is in custody for eight months, learned trial court is directed to expedite the trial and try to conclude it within a period of nine months.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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