

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.12122 OF 2017

ORDER:

This petition is filed under Section 439 Cr.P.C. to grant bail to the petitioner-A5 for the offence alleged under Section 8 (c) r/w 20 (b) (ii) (c) of NDPS Act.

2. Heard learned counsel for the petitioner-A5, learned Additional Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioner-A5 would submit that the petitioner-A5 was remanded to judicial custody on 03.03.2017. The petitioner-A5 was a lorry driver. He has no knowledge about the alleged transportation of ganja by the other accused in this case and ultimately, prayed to allow the application.

4. On the other hand, learned Additional Public Prosecutor opposed the grant of bail to the petitioner-A5.

5. As per the material placed on record, 800 Kgs of ganja was seized from the lorry bearing No. TS-04-UB-2204. The petitioner-A5 is the lorry driver. It cannot be said that the petitioner-A5 has no knowledge with regard to the alleged transportation of ganja. It is difficult to sustain that the petitioner-A5 is an innocent person.

6. Under these circumstances, the petitioner-A5 is not entitled for bail under Section 439 Cr.P.C.

7. Accordingly, the Criminal Petition is dismissed. However, in the circumstances narrated, the trial Court is

directed to expedite the trial of the case and pronounce the judgment within six months from the date of this order.

DR.SHAMEEM AKTHER, J

DATED: 15-12-2017

Hsd

