

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15754 of 2018

Arising Out of PS. Case No.-381 Year-2017 Thana- KHAGARIA District- Khagaria

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1. Surjeet Das, S/o Adhir Kumar Das, R/o Village- Murabari (Bisalgarh), P.S.- Bisalgarh, District- Shipahijala, State- Tripura.
 2. Swpna Chakravarti, S/o Late Gopal Chakravarti, R/o Kulai, P.S.- Amwasa, District- Dhalai, State- Tripura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Senior Advocate Mr. Gajendra Kumar Singh, Advocate
For the State	:	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 26-03-2018 Heard learned counsel for the petitioners and the learned
APP for the State.

Petitioners, already in custody since 03.06.2017, seek bail in connection with Special Case No.8 of 2017, arising out of Khagaria Town (Muffasil) P.S. Case No.381 of 2017, registered under Sections 8, 20(B) (ii) (c), 25/29 of the NDPS Act.

Allegation in brief is that the petitioners were found carrying *Ganja* in the roof of the Bolero vehicle in concealed position and total recovery is 144 Kgs.

Learned counsel for the petitioners contends that mandatory provision of NDPS Act regarding search and seizure has not been properly followed, petitioner no.1 is the driver and



petitioner no.2 is the cleaner who was found boarding the vehicle and one person is said to have escaped away whereas learned counsel for the State submits that the recovery is from possession of the petitioners and it is a commercial quantity to the tune of 144 Kgs.

Having considered the aforesaid facts and circumstances, the prayer of bail of the petitioners is rejected in connection with Special Case No.8 of 2017, arising out of Khagaria Town (Muffasil) P.S. Case No.381 of 2017, pending in the court of learned Additional Sessions Judge-I, Khagaria with a direction to the trial court to expedite the trial and preferably conclude the same within a year after framing of the charge.

(Arun Kumar, J)

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