

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74160 of 2018

Arising Out of PS. Case No.-392 Year-2016 Thana- BARH District- Patna

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Pankaj Kumar Son of Mahangu Pandit, resident of Village- Jamunichak,
Police Station- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Dr. Indiwari Kumari

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 20 and 22 of the N.D.P.S. Act.

43 Kg of ganja is said to have been recovered
from the house of the petitioner.

It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
the conscious physical possession of the petitioner rather from
the house which does not belong to the petitioner. He has no
criminal antecedent. There is violation of Section 100 Cr.P.C.
The petitioner has been languishing in custody since
06.12.2016. Co-accused Lalit Kumar who happens to be friend



of the petitioner has been enlarged on bail by learned lower court. It is also submitted that earlier bail petition was rejected by this Court vide order dated 13.11.2017 with direction to the lower court to dispose of the case within nine months, but out of eight witnesses, only four witnesses have been examined uptill now.

Learned APP for the State opposed the prayer for bail.

Considering the recovery of huge quantity of ganja from the house of the petitioner and in the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within further six months from the date of receipt/production of a copy of this order and S.P. concerned is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be communicated to S.P. concerned by fax for needful.

(Prakash Chandra Jaiswal, J)

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