

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26460 of 2018

Arising Out of PS. Case No.-26 Year-2016 Thana- D.R.I District- Patna

Mustakim @ Md. Mustaqueem @ Md. Mustakin, Son of Abdul Hasan,
Resident of House No. 236, Village Rasoolpur, Hameer, P.O. Fattepur, Khas,
P.S.- Mainather, District- Moradabad (U.P.).

... .. Petitioner

Versus

1. The State of Bihar.
2. The Union of India through the Director, Narcotic Cell, Patna.

... .. Opposite Parties

Appearance :

For the Petitioner/s :	Mr. Mohammad Sufyan
For the Opposite Party/s :	Mr. Sri Damodar Prasad Tiwary Mr. S.Prakash Tripathi, Sr. S.C.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 03-05-2018 Heard Mr. Md. Sufyan, learned counsel for the petitioner , Sri Damodar Prasad Tiwary, learned Addl. Public Prosecutor as well as Sri S.Prakash Tripathi, learned Senior Standing Counsel, Cutoms Department, Govt. of India.

The sole petitioner, who is in custody in Spl. Case No. 32 of 2016 registered for the offenc under Sections 20,25 and 29 of the N.D.P.S. Act , has prayed for grant of bail primarily on the ground that the petitioner is in custody since 16.06.2016 and the trial has not proceeded in accordance with law. He submits that it is true that the petitioner was one of the occupants of the truck, from which huge quantity of Ganja was recovered. Fact remains that the petitioner was not having any



knowledge about such Ganja in the truck.

Considering the fact that the petitioner is owner of the truck, which was loaded with huge quantity of Ganja, on merit there is no reason to entertain such petition, however learned counsel for the petitioner submits that in the case, charge has already been framed.

Since the petitioner is in custody from 16.06.2016 and charge has already been framed, while dismissing the petition, it is desirable to observe that the learned trial court and the prosecution may take appropriate steps for early disposal of the case.

(Rakesh Kumar, J)

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