

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6757 of 2019

Arising Out of PS. Case No.-54 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Sidhnath Paswan Son of Subhash Paswan, resident of Village Vamapali,
presently residing at Milki Kothi (Masarh), P.S.- Udwantnagar, District-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Syed Mojibur Rahman

For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 17-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 18 & 20(b) of the N.D.P.S. Act.

Allegedly, 68 kg Ganja kept in 45 packets under the seat of
the car was recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 08-02-2018. Prosecution report has
already been submitted. The petitioner has remained in custody
for more than a year. There is no compliance of Sections 42 &
50 of the NDPS Act.



On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. 68 Kg. Ganja is alleged to have been recovered from the vehicle in question. The petitioner is said to be driver of the vehicle in question. The amount of recovered Ganja is more than commercial quantity. Hence, in the light of Section 37 of NDPS Act, the petitioner is not entitled for bail.

Accordingly, prayer for bail of the petitioner in connection with Excise Case No. 54 of 2018 is rejected.

Learned trial court is directed to take all necessary steps to conclude the trial of the petitioner, preferably, within a period of 6 months from the date of receipt/production of copy of the order.

(Sudhir Singh, J)

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