

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13207 of 2019

Arising Out of PS. Case No.-30 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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1. Md. Sufiyan @ Sufiyan and Anr Son of Anwar Resident of Village- Khushhalpur, P.S.- Mirjapur, District- Saharanpur (U.P.)
 2. Ishtakar Son of Rijwan Resident of Village- Khushhalpur, P.S.- Mirjapur, District- Saharanpur (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the Director, N.D.P.S. Act, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Ravindra Kumar Sinha, Advocate
For the State	:	Mr.Shailendra Kumar Singh, APP
For Union of India	:	Mrs. Shail Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-04-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in N.C.B. No.30 of 2018
(N.D.P.S. case No.21 of 2018) registered under Sections 8, 20,
29 of N.D.P.S. Act, pending in the court of Special Judge,
N.D.P.S., Gaya.

Allegation is that 520 kg ganja is recovered.

It has been submitted on behalf of the petitioners that
the petitioners are in custody since 28.06.2018 and have got no
criminal antecedent. Charge sheet has been submitted in the
case. There is no allegation of tampering of witnesses alleged



against the petitioners. It is alleged that 520 kg ganja is recovered from the truck. The petitioners are the driver and khalasi of the truck. There is no compliance of Sections 42 and 50 of N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case. The quantity of ganja is above the commercial quantity. In the light of Section 37 of N.D.P.S. Act, the petitioners are not entitled for bail.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioners. The same is rejected.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of one year from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

Narendra/-

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