

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7109 of 2019

Arising Out of PS. Case No.-31 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhagalpur

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Birbahadur Rai S/o Badlu Rai R/o Village- Didarganj Ward No.- 72, P.S.-
Didarganj, District - Patna

... .. Petitioner/s

Versus

1. State of Bihar Bihar
2. Union of India through N.C.B. Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Dhirendra Kumar Sinha, Advocate
For the State	:	Mr.Uma Shankar Prasad Singh, APP
For Union of India	:	Mrs. Shail Kumari, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 15-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 20, 25, 29 of N.D.P.S. Act.

The allegation is that 226 kg ganja is recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 7.7.2018 and has got no
criminal antecedent. Charge sheet has been submitted in the
case. There is no allegation of tampering of witnesses alleged
against the petitioner. It is alleged that 226 kg ganja is recovered
from the car. The petitioner is the driver of the car in question.
There is no recovery from the conscious possession of the



petitioner. 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 petitioner is named in the F.I.R. The quantity of ganja is above the commercial quantity. In the light of Section 37 of N.D.P.S. Act, the petitioner is not entitled for bail.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. 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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