

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7999 of 2019

Arising Out of PS. Case No.-123 Year-2018 Thana- MAINATAND District- West Champaran

Pramod Patel @ Pramod Prasad Son of Dayali Raut @ Dayali Patel, Resident
of Village - Dasauta, P.S. Serwa, District - Parsa, (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Shyam Kumar Singh

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 20(b), 22 & 23 of the N.D.P.S. Act.

Allegedly, 7 kg Charas is alleged to have been 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 30-10-2018. Charge sheet in this
case has already been submitted. The petitioner has been falsely
implicated in the present case. There is no compliance of
Sections 42 and 50 of the NDPS Act. It has also been submitted
that the trial is in progress.

On behalf of the State, it is submitted that the petitioner is



named in the Complaint Case/F.I.R. 7 Kg. Charas is alleged to have been recovered. The quantity of recovered Charas 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 Mainatand P.S. Case No. 123 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 six months from the date of receipt/production of copy of the order.

(Sudhir Singh, J)

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