

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8596 of 2019

Arising Out of PS. Case No.-13 Year-2016 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

=====

Amirullah Ansari @ Md. Amirullah Ansari Son of Late Isha Haque Resident
of Village- Sutihar, Jumman Tola, PS- Derni

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the Economic Offences, Bihar, Patna Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner : Mr. Zeyaul Hoda, Advocate
For the State : Mrs. Renu Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-04-2019 As per office note dated 26.03.2019, case diary has
not been received.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 8/20(b)(ii)(c)/25/29 of N.D.P.S. Act.

Allegation is that 587.700 ganja is recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 14.08.2018 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 587.700 kg ganja is
recovered from the truck, which is alleged to be of the



petitioner, but the same was sold by the petitioner to one Teras Kumar prior to the date of occurrence. 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. and he is the bonafide owner of the truck in question. As per the owner book, the truck has not been transferred on the name of Teras Kumar. Teras Kumar has not been made accused in the present case. 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/-

U		T	
---	--	---	--

