

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16534 of 2019

Arising Out of PS. Case No.-42 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

MD. SADDAB @ SAHDAB Md. Salim @ Md. Saleem Z3/2015/1/A, River
Side Road, Badartala, P.S- Nadiyal, dist. Choubis Pargana at Kolkata (W.B)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Narcotics Control Bureau, Patna Karpoori Thakur Sadan, CGO Complex, D
and E Block, Ashiana-Digha Road, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mritunjay Kumar Sinha
For the Opposite Party/s	:	Mr.Renu Kumari
For the U.O.I.	:	Mrs. Shail Kumar, C.G.C.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 20 and 29 of the N.D.P.S. Act.

The prosecution case in short is that 3 kg charas has
been recovered in this case.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 17.9.2018 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been
submitted in the present case. The petitioner has falsely been
implicated in the present case. 3 kg charas is alleged to have



been recovered from the constructive possession of the petitioner. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The alleged recovered quantity is above the commercial quantity. In the light of the provisions of Section 37 of the N.D.P.S. Act, the petitioner cannot be granted bail.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The prayer is rejected. The Trial Court is directed to take all necessary steps to conclude the trial preferably within one year from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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