

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10715 of 2019

Arising Out of PS. Case No.-85 Year-2018 Thana- RAGHOPUR District- Supaul

Md. Ahmad Son of Md. Shahid Resident of Village- Chausa Basti, P.S.-
Chausa Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Special case No.02 of 2018 arising out of Raghapur P.S. case No.85 of 2018 registered under Sections 20 and 22 of the Narcotic Drugs and Psychotropic Substance Act, pending in the court of Sessions Judge, Supaul.

The allegation is that 50 kgs of ganja is recovered from the vehicle.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.04.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. No incriminating



article has been recovered 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. 50 kgs of ganja is said to have been recovered from the constructive possession of the petitioner. Hence the petitioner is not entitled for grant of bail under Section 37 of N.D.P.S. Act as the alleged quantity is above more than commercial quantity.

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 nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

Narendra/-

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