

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26725 of 2019

Arising Out of PS. Case No.-8 Year-2016 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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SANTOSH PRASAD Son of- Sri Shankar Prasad Resident of village-Bhelwa,
P.O- Chhauradano, District- East Champaran, Motihari

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. THE UNION OF INDIA THROUGH INTELLIGENCE OFFICER,
NARCOTICS CONTROL BUREAU, PATNA BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s	:	Mr. Narendra Kumar Singh, APP
For the UOI	:	Mr. Awadhesh Kumar Pandey, Sr. Panel Counsel

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 17-08-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in connection with

NDPS Case No. 66 of 2016 arising out of

NCB/PZU/CRIME No. 08 of 2016 instituted for the

offence under Sections 8, 20, 23 and 29 of the Narcotic

Drugs and Psychotropic Substances Act, 1985.

3.75 kgs. of Charas is said to have been

recovered from a motorcycle which was being driven by

one Sunil Kumar Yadav and the petitioner is alleged to



have pillion riding.

It has been urged on behalf of the petitioner that he has remained in jail since 19.10.2016 and there is no criminal record against him. He further submits that he had no idea that the aforesaid consignment of narcotics was being carried by his associate viz. Sunil Kumar Yadav.

However considering that the quantity of narcotics which was recovered from the petitioner and his associate which was more than the commercial quantity, the bench hearing the petition rejected bail on 29.11.2017 in Cr. Misc. No. 36900 of 2017.

A report was called for from the court below about the stage of the case and the report discloses that two witnesses have been examined out of the five witnesses mentioned in the charge sheet.

Regard being had to the nature and quantity of recovery, I am not inclined to grant bail to the petitioner for the present.



However, looking at the period of custody of the petitioner, this Court directs the trial court to conclude the trial preferably within a period of six months from the date of production of a copy of this order. In the event of non-conclusion of the same within that period, it would be open for the petitioner to approach this court again for grant of bail.

The petition stands rejected with the aforesaid observation.

(Ashutosh Kumar, J)

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