

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11549 of 2019

Arising Out of PS. Case No.-134 Year-2018 Thana- BARHIYA District- Lakhisarai

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LADDU MAHTO @ LUDU MAHTO S/o Chandradani Mahto Resident of
Village- Jaitpur, P.S.- Barahiya District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 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 8, 20(b)(i)(c), 25 and 29 of the N.D.P.S.
Act.

The prosecution case in short is that 47.351 kg ganja
has been recovered in this case.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 20.7.2018 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. 47.351 kg ganja is alleged to
have been recovered. 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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