

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13781 of 2019

Arising Out of PS. Case No.-205 Year-2018 Thana- MOKAMAH District- Patna

Phudan Mahto @ Fudan Mahto Son of Ganauri Mahto Resident of Village -
Sitarampur, P.S.- Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Special case No.84 of
2018 arising out of Mokama P.S. case No.205 of 2018 registered
under Sections 20/22 of N.D.P.S. Act, pending in the court of
Addl. District and Sessions Judge 7th, Patna.

Allegation is that 32 kg ganja is recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 2.8.2018 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 32 kg ganja is recovered
from the car. 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. He was in possession of the car in question. 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/-

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