

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2023 of 2019

Arising Out of PS. Case No.-5 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Intezar Alam Son of Mosami Alam @ Mahasan Miyan Resident of Village-
Khirlichiya, P.S.- Raxaul, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE UNION OF INDIA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 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 and 20 of the N.D.P.S. Act.

The prosecution case in short is that 4.3 kg charas has
been recovered in this case.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 1.2.2018 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. 4.3 kg charas is alleged to have
been recovered. The petitioner has falsely been implicated in the
present case merely on the basis of suspicion. 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.

A report has been submitted by the Trial Court. It has been reported that out of 5 witnesses, 1 witness has already been examined.

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

(Sudhir Singh, J)

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