

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35078 of 2019

Arising Out of PS. Case No.-144 Year-2017 Thana- PALANWA District- East Champaran

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Vinod Singh @ Mohan Singh Son of Late Chandradeo Singh Resident of
Village - Janerawa, P.S.- Govindganj, Distt - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Md. Fahimuddin

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 17-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Palanwa
(Belahi O.P.) P.S. Case No. 144 of 2017 registered for the
offence punishable under Sections 22 and 24 of NDPS Act and
30(a), 37(B) of Bihar Excise (Amendment) Act-2016.

2.84 Kgs. Of Ganja and 3.600 lts. of Nepali liquor is
said to have been recovered from the possession of the
petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no
concern either with the seized Ganja or the liquor. He has been



falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery from his possession. He has been languishing in custody since 12.11.2017. Earlier the bail prayer of the petitioner was rejected vide order dated 01.08.2018 directing the court below to conclude the trial within nine months but the trial has yet not been conclude. Hence, the petitioner may be enlarged on bail.

On the other hand, learned APP vehemently opposing the prayer for bail submitted that 2.84 kgs. Of Ganja besides Nepali liquor have been recovered from the possession of the petitioner, hence, he does not deserve bail.

Vide letter no. 1342 learned court below has sought six moths more time for concluding the trial submitting that all the prosecution witnesses have been examined by the prosecution and reminder has been issued to the S.P. Motihari to procure the FSL report.

Having regard to the facts and circumstances, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer is rejected.

However, the learned trial court is directed to conclude the trial within two moths positively from the date of receipt/production of a copy of this order. Both parties are



directed to extend all sort of cooperation in concluding the trial at the earliest. The petitioner may renew his prayer for bail if the trial is not concluded within the stipulated period.

(Prakash Chandra Jaiswal, J)

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