

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35271 of 2019

Arising Out of PS. Case No.-41 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Dinesh Mahto, aged about 46 years, Male, Son of Jato Mahto, Resident of
Village-Sitarampur Raichiyahi, P.S.-Matihani, District-Begusarai.

... .. Petitioner

Versus

Union of India Through NCB (Narcotic Control Bureau), Patna

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Thakur, Sr. Adv.
For the Opposite Party : Mr. Ramakant Sharma,

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

7 20-11-2019 Heard learned counsel, Sri Ajay Thakur, appearing
for the petitioner as well as learned counsel, Sri Ramakant
Sharma, appearing for the Union of India.

Petitioner seeks bail in a case registered for the
offence punishable under Section 8/20 of the Narcotic Drugs
and Psychotropic Substance Act.

85 Kg *Ganja*, kept in 52 separate packets, is said to
have been recovered from a vehicle in which petitioner was also
found sitting at the time of alleged recovery.

Submission on behalf of the petitioner is that the
petitioner was bonafide passenger and, as a matter of fact, he
was not aware about the keeping of the *Ganja* in the aforesaid
vehicle.



Learned counsel appearing for the Union of India opposed the prayer pointing out that the petitioner was caught on the spot and, therefore, he does not deserve the privilege of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and, accordingly, his prayer for bail, in connection with special Case No. 98 of 2018, arising out of NCB/PZU/V/41/2018, stands rejected.

However, petitioner is in jail custody since 02.09.2018, the learned trial court should expedite the trial of the petitioner.

(Hemant Kumar Srivastava, J)

Rajeev Kumar/-

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