

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63089 of 2018

Arising Out of PS. Case No.-11 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Govindo Ghosh Son of Late Gopal Ghosh Resident of Village-Khudiram
Pally Malbazar, P.O.-Bataigul Bazar, Police Station-Metai, District-
Jalpaiguri(West Bengal)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Narcotics Control Bureau, Patna through its Intelligence Officer, Union of India

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Jha
For the UoI	:	Mrs. Shail Kumari (C.G.C.)
For the State	:	Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

7 09-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Special Case No. 15 of 2018 arising out of F. No.
NCB/PZU/V/11/2018 dated 06.03.2018 registered for the
offence punishable under Sections 8(C), 20 and 29 of the
Narcotic Drugs and Psychotropic Substances Act-1985.

137 Kg. of Ganja is said to have been recovered
from the Bolero vehicle and petitioner along with four other
accused persons were apprehended from the said vehicle.

It is submitted by learned counsel for the
petitioner that petitioner has neither any concern with the seized



ganja nor with the vehicle in question. The vehicle in question is hailing to one co-accused Awadhesh Rai. Petitioner had boarded the aforesaid vehicle on the way without any knowledge of keeping of Ganja in the vehicle. He has no criminal antecedent. He has been languishing in custody since 06.03.2018.

On the other hand, Shail Kumari learned Standing Counsel for the Union of India vehemently opposed the bail prayer of the petitioner and submitted that the petitioner happens to be driver of the vehicle in question. In his confessional statement, the petitioner has divulged about transporting the aforesaid Ganja from West Bengal for its delivery to Awadhesh Rai and three different number plates were also seized from the aforesaid vehicle. Hence, he does not deserve bail.

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

However, learned court below is directed to conclude the trial as expeditiously as possible preferably within nine months from the date of receipt/production of a copy of this order fixing the case on day to day basis and S.P. Patna is



directed to ensure production of the witnesses in the case on
each and every date fixed without fail.

Let a copy of this order be communicated to S.P.
Patna by fax for needful.

(Prakash Chandra Jaiswal, J)

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