

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70929 of 2018

Arising Out of PS. Case No.-209 Year-2018 Thana- HAJIPUR District- Vaishali

Kuldeep Singh S/o Harbhajan Singh Resident of Village-Badala Bazar,P.S.
Kola Jaur,Distt.-GurudaspurPunjab

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha
For the Opposite Party/s : Mr.Sri Pranav Kumar

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, 20(c) (ii)(c) of the N.D.P.S. Act.

The prosecution case in short is that 363 kg ganja has
been recovered in this case.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 4.4.2018 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. 363 kg ganja is alleged to have
been recovered from the truck in question. The petitioner is
driver of the truck in question. 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. The same has been recovered from the constructive possession of the petitioner. In the light of the provisions of Section 37 of the N.D.P.S. Act, the petitioner cannot be granted bail.

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 one year from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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