

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74952 of 2018

Arising Out of PS. Case No.-621 Year-2017 Thana- PATNA GRP CASE District- Patna

Arvind Kumar Rai Son of Munarik Rai Resident of Village-Bahrampur,P.S.
Raghopur,Distt.-Vaishali,Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudha Chandra

For the Opposite Party/s : Mr.Sri Aditya Narayan Singh 1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 21-02-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 23.12.2017 in a case registered for the offences punishable under Sections 8,20 and 22 of the NDPS Act.

The prosecution case is that Patna Rail Police received a secret information that in Compartment No. S-4 of Patna-Ernaculam Express, some persons are carrying Ganja, whereupon raid was laid and from beneath the berth where the petitioner was sitting, 68.120 kilograms of Ganja was recovered, leading to registration of the FIR. Thereafter, some of the persons escaped from the scene whose names were disclosed by the petitioner.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the accusation has been levelled. It is further submitted that recovery cannot be treated from the



petitioner and the investigation has already been concluded. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, after going through the case diary, submits that the petitioner was carrying a ticket from Fatuha to Ernakulam and also a return ticket from Ernakulam to Patna. It is further submitted that the petitioner disclosed the names of other persons who were travelling with him.

Considering the quantity of recovery of contraband, this Court is not inclined to grant bail to the petitioner in connection with Special Case No. 195 of 2017 arising out of GRP Patna P.S. Case No.621 of 2017 of 2018 pending in the Court of the learned Additional District and Sessions Judge X, Patna.

This application is, accordingly, dismissed.

Let the trial be expedited.

However, if the trial is not concluded within nine months, the petitioner may renew his prayer for bail.

(Dinesh Kumar Singh, J)

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