

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49560 of 2019

Arising Out of PS. Case No.-11 Year-2018 Thana- D.R.I District- Patna

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Jyotish Dev Verma @ Jyotish Verma S/o Sri Narayan Dev Verma Resident of
village- Khampur Para West(Paschim) Chandpur, P.O.- Chachu Bazar, P.S.-
Sindhai Mohanpur, District- West Tripura (Tripura) 799211

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Union of India through the Deputy Director, Revenue Intelligence
Regional Unit, Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harendra Prasad
For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-08-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 20, 23, 25 & 29 of the N.D.P.S. Act.

Allegedly, 293.7 kg Ganja is said to have been recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 23-05-2018. Charge sheet in this
case has already been submitted. The petitioner has been falsely
implicated in the present case. There is no other substantive
evidence to suggest the implication of the petitioner in the



present case. The alleged Ganja has not been recovered from conscious possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. The petitioner happens to be Khalasi of the container, in question. As per seizure list, 293.7 Kg. Of Ganja is alleged to have been recovered from the container in question. The said recovery is from constructive possession of the petitioner. As per confession made by the petitioner, he had the knowledge that Ganja has been loaded in the container. Hence, in the light of Section 37 of NDPS Act, the petitioner is not entitled for bail.

Accordingly, prayer for bail of the petitioner in connection with Special Case No. 49 of 2018 arising out of DRI/LZU/PRU/718(II)/ENQ-11/2018 is rejected.

Learned trial court is directed to take all necessary steps to expedite the trial of the petitioner.

(Sudhir Singh, J)

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