

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47852 of 2019

Arising Out of PS. Case No.-73 Year-2019 Thana- CHHAURADANO District- East
Champaran

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1. Munna Mahto @ Munna Sahani Son of Badri Mahto Resident of Village- Narula Dih, P.S.- Sangrampur, District- East Champaran.
 2. Sunardeo Mahto S/o Late Guljar Mahto Resident of Village- Narula Dih, P.S.- Sangrampur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in N.D.P.S. case No.31 of 2019 arising out of Chhauradano (Mahuawa) P.S. case No.73 of 2019 arising out of Barachatti P.S. case No.11 of 2019 registered under Sections 20 and 22 of N.D.P.S. Act, pending in the court of Sessions Judge/Special Court, East Champaran, Motihari.

The allegation is that 90 kgs of ganja is recovered.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 14.03.2019 and petitioner No.1 has got no criminal antecedent. Charge sheet has been



submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implication in this case. There is no compliance of Sections 42 and 50 of N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. There is recovery of 90 kgs of ganja from the constructive possession of the petitioners. Same is more than commercial quantity. The petitioners are not entitled for bail as per Section 37 of N.D.P.S. Act.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioners. The same is rejected.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

Narendra/-

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