

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53966 of 2019

Arising Out of PS. Case No.-8 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Sujeet Das @ Sujit Das Son of Jagdish Das Resident of Village - Amarpatii,
P.S.- Pokharia, District- Birganj Parsa, Nepal

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through Inspector, Customs (P) Division, Motihari,
Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Vikash Kumar Pankaj
For UOI	:	Mr. S.D. Sanjay, Add. S.G. Mr. R. K. Sharma, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 8 & 20(b)(ii)(C) of the N.D.P.S. Act.

Allegedly, 60 kg Ganja is said to have been recovered in
this case.

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 25-04-2019. Prosecution report has
already been submitted. The petitioner has been falsely
implicated in the present case. There is no recovery from
conscious possession of the petitioner. The petitioner is alleged



to be Khalasi of the truck in question. The truck, in question, belongs to one Chandrika Das.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. The confession of the petitioner has been made under the Act. In his self-confession, the petitioner has admitted that he is involved in transporting the Ganja by the truck from Nepal to India. The total recovery of Ganja is 68 Kg. The same is above the commercial quantity. 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 Custom Case No. VIII(10)08 /Cus/Seiz/NDPS/MTH/19-20 giving rise to NDPS Case No. 38 of 2019 is rejected.

Learned trial court is directed to take all possible steps to expedite the trial and conclude the same preferably within a period of nine months from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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