

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55411 of 2019

Arising Out of PS. Case No.-186 Year-2017 Thana- BARAUNI District- Begusarai

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Pramod Kumar Son of Late Devi Rai Resident of Village - Sarifaganj, P.S.-
Malsalami, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Jagdhari Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 20 & 22 of the N.D.P.S. Act.

Allegedly, 583 kg Ganja loaded on the truck in question
was 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 14-05-2019. 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. There is no recovery from conscious
possession of the petitioner.



On behalf of the State, it is submitted that the petitioner is named in the FIR. He is owner of the truck in question. 583 Kg. Ganja is said to have been recovered from the truck in question. The quantity of recovered Ganja is more than 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 NDPS Case No. 12(A) of 2017 arising out of Barauni Zeromile P.S. Case No. 186 of 2017 is rejected.

Learned trial court is directed to take all necessary steps to conclude the trial of the petitioner, preferably, within a period of 9 months from the date of receipt/production of copy of the order.

(Sudhir Singh, J)

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