

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4934 of 2019

Arising Out of PS. Case No.-179 Year-2018 Thana- SONBERSA District- Sitamarhi

Binod Sah Son of Ramanand Sah Resident of Village - Luxmipur, P.O. and
P.S.- Malangwa, District - Sarlahi (Nepal)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 8(C) 20(B), (III), 22(C) of the N.D.P.S.
Act.

The prosecution case in short is that 2.938 kg charas
has been recovered in this case.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 27.9.2019 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been
submitted in the present case. 2.938 kg charas is alleged to have
been recovered. The petitioner has been made accused due to
mistake of fact. There is no compliance of Sections 42 and 50 of



the N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The alleged recovered quantity is above the commercial quantity. In the light of the provisions of Section 37 of the N.D.P.S. Act, the petitioner cannot be granted bail.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The prayer is rejected. The Trial Court is directed to take all necessary steps to conclude the trial preferably within one year from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

