

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57136 of 2019

Arising Out of PS. Case No.-9 Year-2017 Thana- SIMRI District- Buxar

Md. Adil @ Guddu Son of Late Md. Ali @ Gomad, Resident of Village -
Upkhandag Veerpur Bazar, P.S.- Munday Pandey, Dist.- Moradabad. (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner seeks bail in N.D.P.S. case No.01 of 2017 arising out of Simri P.S. case No.09 of 2017 registered under Sections 20(B) II(C), 22, 27(A) of N.D.P.S. Act, pending in the court of District Judge-cum-Special Court, N.D.P.S. Act, Buxar.

Allegation is that 14.100 quintals of ganja is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.01.2017 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. 14.100 quintals of ganja is alleged to have



been recovered from the truck. The petitioner is the driver-cum-khalasi of the truck in question. The petitioner had no knowledge regarding the nature of goods booked by the transporter.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. 14.100 quintals of ganja is recovered from the constructive possession of the petitioner. Same is above the commercial quantity. As per Section 37 of the N.D.P.S. Act, the petitioner is not entitled for bail.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. 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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