

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19997 of 2020

Arising Out of PS. Case No.-100 Year-2018 Thana- DAGARUA District- Purnia

JANU MIAN Son of Manik Mian Resident of Village - Nishant Path,
Joginder Nagar, P.S. - Arunduti Nagar, District - West Tripura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-11-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Dagarua P.S. Case No.
100 of 2018 instituted for the offences under Sections 8, 20(b)
(ii)(c) and 25 of the N.D.P.S. Act.

The prosecution case in short is that 30.459 kg ganja
has been recovered in this case.

The earlier bail application of the petitioner was
rejected vide Annexure-1 to the present application by a
Coordinate Bench of this Court taking into account the recovery



of 30.459 kg of ganja which is above the commercial quantity and hence the petitioner is not entitled for bail under Section 37 of the N.D.P.S. Act. A report was called for from the Trial Court. It has been reported that out of nine, six witnesses have already been examined on behalf of the prosecution.

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.

Considering the fact that the petitioner is in custody since 06.02.2018, the Court below is directed to take all necessary steps to conclude the trial preferably within a period of six months from the date of receipt/production of a copy of this order.

The District Magistrate, Purnea and the Superintendent of Police, Purnea are also directed to take necessary steps to produce the remaining witnesses on the date fixed in the Trial Court so that the trial could be concluded



within the stipulated period.

Let this order be communicated to the District
Magistrate, Purnea and the Superintendent of Police, Purnea.

(Sudhir Singh, J)

Pankaj/-

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