

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30932 of 2020

Arising Out of PS. Case No.-19 Year-2020 Thana- JANDAHA District- Vaishali

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MUKESH CHAUDHARY @ MUKESH KUMAR CHAUDHARY, aged about 35 years, Gender-M, S/o Prem Chand Chaudhary, R/v-Jandaha, Ward No.8, P.S.-Jandaha, District-Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Vijay Kumar Sinha, Advocate.

For the Opposite Party : Mrs. Sangeeta Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-11-2020 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.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

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

The prosecution story, in brief, is that on information, the police raided the clothes shop of the petitioner and recovered



34.520 kgs., Ganja from the bedroom attached to the clothes shop of the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 09.02.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. 34.520 kgs., of Ganja is said to have been recovered from the bedroom attached to the clothes shop of the petitioner. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R. Commercial quantity of Ganja is said to have been recovered from the bedroom attached to the clothes shop of the petitioner. In light of Section 37 of the N.D.P.S. Act, the petitioner is not entitled for grant of bail.

Considering the aforesaid facts and circumstances of the case, I am not entitled to grant bail to the petitioner. The same is rejected in connection with Jandaha P.S. Case No. 19 of 2020, pending in the court of learned Sessions Judge-cum-Special Judge, N.D.P.S. Act, Vaishali at Hajipur.



Learned court below is directed to expedite the trial 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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