

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78919 of 2019

Arising Out of PS. Case No.-4 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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KANHAIYA PRASAD Son of Rudal Prasad Resident of Village - Nandpur,
P.S.- Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
 2. The Union of India, through Director, Narcotics Central Bureau Delhi India
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Adya Singh
For the Opposite Party/s : Mr.Pravin Kr. Sinha, Senior Panel Counsel UOI

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 10-07-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner seeks bail in Tr. No. 39/2017 (GR No. 09/2017) registered u/s 8(C)/20(b)(ii)(C) of the NDPS Act.

The learned counsel for the petitioner submits that prayer of petitioner for bail was earlier rejected vide order dated 03.05.2018 passed in Cr. Misc. No. 26348/2018. The petitioner has falsely been implicated in the case on account of village politics. Someone else had kept Charas in the house of the petitioner and thereafter information was given to SSB on such 10 Kg Charas was recovered from the house of the petitioner. Charges were framed on 15.11.2017 but only three prosecution



witnesses have been examined. The petitioner is in jail for more than three years.

Mr. Pravin Kumar Sinha, the learned counsel for the Union of India, submits that commercial quantity of Charas was recovered from the house of the petitioner.

Taking into consideration the facts that commercial quantity of Charas was recovered from the house of the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is once again rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within one year from the date of receipt of this order.

The learned counsel for the Union of India is directed to ensure the attendance of prosecution witness in the trial court so that the trial must be concluded within one year.

Let a copy of this order be sent to Directorate, Narcotics Central Bureau, Delhi as well as the trial court for information and needful.

(Prabhat Kumar Jha, J)

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