

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30692 of 2020

Arising Out of PS. Case No.-12 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Manoj Sah, Son of Musaharu Sah, Resident of Village - Banania, P.S.-
Kisanpur, District - Supaul

... .. Petitioner.

Versus

1. The State of Bihar
2. Narcotic Control Bureau Karpuri Thakur Sadan, CGO Complex, D and E Block, Ashiyana- Digha, Road, Patna- 800025, Bihar.

... .. Opposite Party.

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Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha

For the Opposite Party/s : Mr. C. Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 03-02-2021 Heard learned counsel for the petitioner and learned
counsel appearing for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 8, 20, 25 & 29 of N.D.P.S. Act.

Earlier prayer for bail of the petitioner was rejected
vide Annexure-1 to the present application taking into account
that 550 kg. of Ganja was said to have been recovered from the
constructive possession. Hence in the light of Section 37 of the
NDPS Act, the petitioner was not entitled for bail.

It has been submitted on behalf of the petitioner that
other co-accused has been granted bail by a coordinate bench of
this court.



From perusal of the said order, it appears that Section 37 of NDPS Act has not been considered by the coordinate bench of this court.

A report was called for from the trial court. It has been reported that charge has not been framed and the trial is expected to be concluded within a period of six months.

Considering the nature of accusation, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with NCB Case No. 12 of 2019 stands rejected.

Learned 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 copy of this order.

The Director, Narcotic Control Bureau, Patna is directed to ensure the production of witnesses on the date fixed by the trial court so that the trial could be concluded within the stipulated period of nine months.

Let a copy of this order be communicated to the Director, Narcotic Control Bureau, Patna for needful.

(Sudhir Singh, J)

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