

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31053 of 2020

Arising Out of PS. Case No.-16 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

=====

JITENDRA PRASAD Son of Prabhu Nath Prasad Resident of Village -
Parsagarh Bazar, P.S. - Ekma, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.
Mr. Ansul, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-01-2021 Heard both sides.

The petitioner seeks bail in N.D.P.S. Case No.57 of 2019, arising out of Case No. NCB/PZU/V/16/2019 registered under Sections 20, 25 and 29 of the N.D.P.S. Act.

The S.S.B. got secret information about the transportation of ganja from a Hyundai Santro car and on such, a team was constituted. The team intercepted the car. The vehicle bearing registration No.BR04Q-2197 was intercepted and a search was made in presence of two independent witnesses. 62 kgs. Ganja was recovered. The petitioner was driving the car.

Mr. Yogesh Chandra Verma, the learned senior counsel for the petitioner submits that no recovery was made



from conscious possession of the petitioner. Petitioner is said to be the driver of the vehicle. The owner of the vehicle asked him to drive the vehicle but it has not come during the course of investigation that who is the owner of the vehicle. The fact remains that it was petitioner who was driving the vehicle carrying commercial quantity of ganja and the same was recovered from the car being driven by the petitioner.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

Since the petitioner is in custody from 1st of August, 2019, 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 N.C.B. is also directed to produce the witnesses so that the trial must be concluded within one year.

Let a copy of this order be sent to the trial court as well as the Directorate of N.C.B., Patna for information and needful.

(Prabhat Kumar Jha, J)

Saurabh/-

U		T	
---	--	---	--

