

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32334 of 2020**

Arising Out of PS. Case No.-15 Year-2020 Thana- HATHIDAH District- Patna

DEEPAK MAHTO @ DIPAK MAHTO S/o Baiju Mahto Resident of Village-  
Jaitpur, P.S-Barhiya, District-Lakhisarai, Bihar-811302.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mritunjay Kumar Singh  
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

3      12-01-2021

Heard both sides.

The petitioner seeks bail in Hathidah P.S. case No. 15/2020 registered u/s 8/20 (b), (I) (c)/25/29 of the NDPS Act.

The informant, SHO of Hathidah P.S., alleged that he got information about carrying of huge quantity of Ganja and such information was given to the higher officials. The BDO, Mokama was also informed and he was requested to supervise the raid conducted by the police. The raiding party was waiting for the auto rickshaw near Mahendrapur railway crossing. When the auto rickshaw came the driver of the auto rickshaw was signaled to stop but he tried to flee away. The police apprehended the driver of the auto rickshaw bearing registration No. JH-702-5537 and on search 29 Kg Ganja was recovered from the cavity made under the seat of the driver.

The learned counsel for the petitioner submits that petitioner is passenger of the auto rickshaw. The driver of the vehicle fled away. The petitioner is in custody since 18.02.2020 but it appears from the FIR and the case diary that it was the



petitioner who was driving the auto rickshaw. Huge quantity of Ganja was recovered from the cavity made in the seat of the driver of the auto rickshaw. It appears that commercial quantity of Ganja was recovered from the possession of the petitioner and it was the petitioner who was carrying Ganja.

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

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

The Superintendent of Police, Barh is directed to ensure the attendance of prosecution witnesses in the trial court so that the trial must be concluded within one year.

Let a copy of this order be sent to the trial court and Superintendent of Police, Barh for information and needful.

If the trial is not concluded within one year, for no fault of the petitioner, the petitioner, if so advised, may renew his prayer for bail.

**(Prabhat Kumar Jha, J)**

BKS/-

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