

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5399 of 2021

Arising Out of PS. Case No.-23 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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Sanjay Mahto Kevat, Son of Mishree Mahto Kewat, Resident of Village -
Tihuki, P.S.- Langadi, Distt.- Parsa (Nepal)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through Zonal Director, Narcotic Control Bureau, Patna,
Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 27-05-2021 Heard the parties in virtual Court.

The petitioner is languishing in custody for the
offence punishable under Sections 8, 20 and 23 of the N.D.P.S.
Act.

4.50 Kg of charas was allegedly recovered from the
possession of the petitioner.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent. He is in custody since
last more than three years. Petitioner is ready to cooperate with
the trial. There is non compliance of mandate of law in the
matter of search and seizure.

Considering the nature of allegation against the



petitioner and the fact that prosecution evidence is going on, I am not inclined to enlarge the petitioner on bail for the present in connection with Tr. No. 47 of 2018, N.D.P.S. Case No. 18 of 2018 arising out of N.C.B. Patna Case No. 23 of 2018.

Hence, prayer is refused.

If the trial would not conclude within nine months from the date of receipt of a copy of this order, the petitioner would be at liberty to renew prayer for bail before the court below itself.

(Birendra Kumar, J)

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