

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2640 of 2021

Arising Out of PS. Case No.-170 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

MD. MUMTAZ S/o Md. Shamsher Sah R/o village- Naya Tola Shahwaz
Nagar Fatehpur, P.S.- Zero Mile Sabaur, District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner seeks bail in N.D.P.S. case No.14 of
2018 arising out of Excise case No.170 of 2018 registered under
Sections 20(b) of N.D.P.S. Act, pending in the court of A.D.J.
1st-cum-Special Judge (N.D.P.S.), Gaya.

The earlier bail application of the petitioner was
rejected vide Annexure 1 to the present application taking into
account that there is recovery of 85 kgs ganja and the same is
above the commercial quantity and in the light of Section 37 of



N.D.P.S. Act the petitioner is not entitled for grant of bail.

A report was called for from the court below regarding the stage of trial. It has been reported that none of the prosecution witnesses have been examined and the trial is likely to be concluded within a period of six months.

Considering the quantity of recovered ganja and the stage of the trial, I am not inclined to grant bail to the petitioner. The same is rejected.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of six months from the date of receipt/production of a copy of this order.

It goes without saying that the prosecution shall co-operate in the trial court, so that the trial could be concluded within the stipulated period.

(Sudhir Singh, J)

Narendra/-

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