

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9270 of 2021

Arising Out of PS. Case No.-4 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

=====

Khurshid Alam @ Md Khurshid Alam @ Bhola S/O Md. Nasim Akhtar @
Md. Naseem Akhtar Resident Of Pothia Dhekabhinja Ward No.31, P.S. And
Distt- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Govt. of India through Directorate of Revenue Intelligence, Patna, Bihar
Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha
For the Opposite Party/s : Mr. Abhay Kumar Pandey

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-09-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with D.R.I. (NDPS)
Case No. 04/2020 registered for the offence punishable under
Sections 20, 22 of the N.D.P.S. Act.

The prosecution case based on the statement of informant who
is an officer of DIR, Regional Unit, Muzzafarpur is that on search a
truck was intercepted bearing registration No. WB 59 B 8171. Three
persons namely *Mohamad Raju, Shahrukh Khan and Shahruk* were



found sitting in the truck. On being enquired repeatedly Ganja which is concealed in the secret cavity made in the back portion of driver's cabin of the said vehicle was recovered. It is alleged that 30 packetes of *Ganja* weighing 250.44 kg valued at Rs. 37,56,600/- was recovered from the said vehicle

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. Charge has not been framed. He submits that petitioner is the owner of the said truck and has no concern with the seized articles and he was not arrested at the place of occurrence. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent as has been mentioned in para 3 of this bail application and he is languishing in custody since 25.08.2020..

Learned APP for the State vehemently opposing the bail petition submits that petitioner is the owner of the said vehicle and he is also liable for the said recovery.

In the facts and circumstances of the case, I am not inclined to grant privilege of bail to the petitioner in connection with D.R.I. (NDPS) Case No. 04/2020 to the satisfaction of learned Session Judge, Muzaffarpur.

Accordingly, prayer for bail of the petitioner is hereby rejected.

However, the learned Trial Court is directed to conclude the



trial as expeditiously as possible preferably within one year from the date of receipt/production of a copy of this order and S.P., Muzaffarpur is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be communicated to S.P., Muzzafarpur by fax for needful.

If the trial is not concluded within the stipulated period, as aforesaid, the petitioner would be at liberty to renew his prayer for bail.

(Anjani Kumar Sharan, J)

GAURAV S./-

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

