

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73464 of 2022

Arising Out of PS. Case No.-566 Year-2022 Thana- BIDUPUR District- Vaishali

=====

RITA DEVI Wife of Santosh Dubey @ Santosh Dubay Resident of village-
Mathura Sultanpur, Panchkathia, P.S.- Bidupur, District- Vaishali at Hajipur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Niranjana Parihar

For the Opposite Party/s : Mr.Uday Chand Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 21-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Bidupur P.s. Case No. 566 of 2022 instituted for the
offence under Sections 20(2)(C) of the N.D.P.S. Act.

3. Prosecution case relates to recovery of Ganja like
contraband substance i.e. 71 kg from a vehicle bearing
Registration No. BR06GE-1243. The petitioner is alleged to be
owner of the aforesaid vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. She has falsely
been implicated in this case as she is owner of the said vehicle
but she was not apprehended on spot. The petitioner has no
concern with the alleged recovery of ganja like contraband
substance. Nothing has been recovered from possession of the



petitioner. It is further submitted that the provision of N.D.P.S. Act has not been followed properly. Moreover, the petitioner is languishing in judicial custody since 24.10.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is the registered owner of the seized vehicle from where ganja like substance was recovered. The alleged recovery of ganja is about 71 kg which is much more than commercial quantity as per N.D.P.S. Act.

6. In pursuance to the direction of this Court, a report with regard to the present stage of trial dt. 4.8.2023 has been received by which it appears that trial shall be concluded within a period of six months.

7. Having heard the learned counsel for the parties and considering the commercial quantity of the seized Ganja, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same within stipulated period i.e. six months, failing which the petitioner may renew his prayer of bail.

(Sunil Kumar Panwar, J)

Amandeep/-

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

