

**0IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15238 of 2024**

Arising Out of PS. Case No.-530 Year-2022 Thana- RIGA District- Sitamarhi

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Ram Pragas Rai (Male) aged about 41 years, son of Late Rajmangal Rai
Village- Bahera Ps- Majorganj Dist- Sitamarhi, Bihar, Pin-843332

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 18-03-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Riga P.S. Case No.-530 of 2022 registered for the offence under Section 414 of the Indian Penal Code and Sections 8/20(b)(ii) (c) of the NDPS Act.

3. As per the prosecution case, the informant along with other police personnel were on vehicle checking duty at Ranjan Petrol Pump, Imli Bazar Riga, then a Scorpio was coming from the side of Mejorganj. The informant tried to stop the Scopio, then three persons started fleeing among whom two persons were apprehended on chase and one person succeeded to flee. On interrogation, the apprehended persons disclosed



their names as Md. Danish and Sujit Kumar and also disclosed that there is ganja in the vehicle. The fleeing person was Tinku Kumar Sah and in presence of witnesses the vehicle was searched and 11 packets each of 14 kgs total 154 kgs ganja was recovered followed with seizure list. The apprehended accused Md. Danish also disclosed that the petitioner is supplier of the seized ganja who brings it from Nepal. On his identification house of the petitioner was also searched and 14 kgs. more ganja was recovered from his house.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in this case and the alleged recovery is less than commercial quantity. Petitioner is in custody since 20.09.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. From perusal of the first information report, seizure list as well as impugned order dated 19.12.2023, it appears that total 168 kg. ganja was recovered from the conscious possession of the petitioner and other co-accused persons and it is more than commercial quantity, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner



is hereby rejected.

8. However, trial Court is directed to conclude the trial within a period of one year from the framing of charge and it is also directed that the proceeding of charge must be completed within a period of fifteen days from the receipt of the order and if the trial is not concluded within a year, the petitioner may renew his prayer for bail before the trial Court.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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