

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22268 of 2019

Arising Out of PS. Case No.-103 Year-2015 Thana- PALANWA District- East Champaran

Babita Devi Wife of Late Prakash Patel, Resident of Village-Laxmipur, P.O-
Raxaul, P.S-Raxaul, District-East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Prasist Zimik Son of Zomal Zimik, Resident of Village-Tusaum C.B.P.S.
Josami, District-Urbaru Manipur, At present posted as Coy Commander, G-
Coy 13th Bn. SSB, Bhelahi, East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 06-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed the prayer for bail in a
case registered for the offences punishable under Sections
20(b)/22/23/24 of the Narcotic Drugs and Psychotropic
Substances Act, 1985.

The prosecution case is that the Sub-Inspector of 13
Battalion, SSB.G.Company, Bhelahi, received information that a
lady is carrying narcotic substance from Nepal via Bhelahi to



Auto stand Raxaul. When the lady was intercepted, she disclosed her name as Babita Devi, (the petitioner) and from her possession, 4 kilogram 'charas' like substance was recovered, leading to registration of the F.I.R.

The contention of the learned counsel for the petitioner is that the petitioner is languishing in custody since 14.11.2015. The sample of the seized contraband was sent to the FSL on 19.01.2016 and without report of the FSL the charge sheet was submitted on 20.03.2016.

The earlier prayer for bail of the petitioner was rejected since there was recovery of commercial quantity of contraband, moreover, there is specific accusation under Sections 24 of the NDPS Act.

The report of the learned 7th Additional Sessions Judge, East Champaran, Motihari dated 20.08.2019 reflects that the trial is at the argument stage and it will be concluded within a period of three months.

In the circumstances, this Court is not inclined to revise the earlier order. Accordingly, the prayer for bail of the petitioner is rejected.

However, it is expected from the learned trial Court to conclude the trial of N.D.P.S. Case No. 62 of 2015, arising out



of Palanwa (Bhelahi O.P.) P.S. Case No. 103 of 2015 within the
time frame transmitted to this Court.

(Dinesh Kumar Singh, J)

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