

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20845 of 2020

Arising Out of PS. Case No.-179 Year-2018 Thana- SONBERSA District- Sitamarhi

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BINOD SAH, (Male), aged about 46 years, Son of Late Ramnandan Sah,
Resident of Village - Lakshmipur, P.S.- Malangwa, District- Sarlahi (Nepal).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	M/S.Vikramdeo Singh and Mr. Pushpendra Kumar Singh, Advocates.
For the Opposite Party	:	Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-08-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned A.P.P. for the State through Virtual mode.

The petitioner seeks bail in connection with Trial No. 08 of 2019, Reg. No. 30 of 2018, arising out of Sonebarsa P.S. Case No. 179 of 2018 registered for the offence under Sections 8 (C)/20(B)(III)/22(C) of the N.D.P.S. Act.

The prosecution story, in brief, is that on 26.09.2018 on getting information that *Charas* has to be delivered by a



person on *Tea Shop* at *Sonbarsa*, the informant with other officials proceeded to the place of occurrence and the petitioner was apprehended with 2.938 kgs., *Charas*. In presence of two independent witnesses, seizure list was prepared and a copy of the same was also given to the petitioner. Hence, F.I.R. was drawn.

Earlier the bail application of the petitioner was rejected vide Cr. Misc. No. 4934 of 2019 under order dated 15.04.2019 taking into consideration that 2.938 kgs. *Charas* was recovered from possession of the petitioner.

A report was called for from the court below regarding the stage of the case. It has been reported that out of seven prosecution witnesses, five prosecution witnesses have already been examined.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Trial No. 08 of 2019, Reg. No. 30 of 2018, arising out of Sonebarsa P.S. Case No. 179 of 2018, pending in the court of learned Additional District and Sessions Judge-Ist-cum-Special Judge, Sitamarhi.

The court below 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 copy of this order.

(Sudhir Singh, J)

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