

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33863 of 2022

Arising Out of PS. Case No.-102 Year-2020 Thana- MANIYARI District- Muzaffarpur

RAJNISH KUMAR @ RAJA Son of Birendra Kishore Singh @ Tantan Singh
Resident of Village - Balara Kishun , P.S.- Maniyari, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Adv.

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-08-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under section 414 of the Indian Penal Code and sections 8, 20 and 22 of the N.D.P.S. Act.

As per the prosecution case, 850 gms. of charas like substance was recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that the prayer for bail of the petitioner was rejected vide order dated 21.10.2021 passed in Cr. Misc. no.19153 of 2021. The petitioner has been falsely implicated in the case. In spite of being in custody since 15.5.2020 and charge having been framed on 2.4.2022, no witness has been examined on behalf of the prosecution. The alleged quantity recovered, even accepted



for the sake of argument is below commercial quantity. The petitioner undertakes to cooperate in the trial.

The application for bail is opposed by learned A.P.P. for the State who submits that the substance seized from the possession of the petitioner was sent for chemical analysis and as per the report of the Forensic Science Laboratory, Bihar, Muzaffarpur, the substance has been confirmed to be charas.

Having heard learned counsel for the parties and taking into consideration the nature of allegation together with the contents of the report of the Forensic Science Laboratory, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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