

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4069 of 2023

Arising Out of PS. Case No.-349 Year-2020 Thana- PAHARPUR District- East Champaran

SANDIP GIRI @ SANDEEP GIRI S/O JATASHANKAR GIRI Resident of
village- Paharpur Giri Tola, P.S.- Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 25-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Paharpur P.S. Case No. 349 of 2020 instituted for the offence
under Sections 8, 20, 22 of the N.D.P.S. Act and sections 25(1-
b)a, 26 of the Arms Act.

As per FIR, prosecution case relates to recovery of
one country made pistol along with one live cartridges and 1.4
kg *Charas* like narcotic substance from possession of the
petitioner. Accordingly, the present case has been lodged.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely
been implicated in this case. The petitioner has no concern with
the alleged arms or narcotic substance (*Charas*) which were



seized by the police. It is also submitted that there is non compliance of mandatory provisions of N.D.P.S. Act. Moreover, the petitioner is languishing in judicial custody since 10.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the alleged recovery of narcotic substance (*Charas*) has been recovered from possession of the petitioner and the same is alleged to be 1.4 kg which comes under purview of commercial quantity as per N.D.P.S. Act. According to F.S.L. report annexed with the case diary, it supports the prosecution wherein, *Charas* is detected which is also known as Hashish. It is also submitted that the petitioner has got six criminal antecedents.

In pursuance to the direction of this Court, a report with regard to the present stage of trial has been received. The report of learned 1st Additional District & Sessions Judge-cum-N.D.P.S. Act, East Champaran at Motihari dt. 10.7.2023 suggests that trial is expected to be concluded within a period of one year.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail



stands rejected.

The trial Court is directed to expected the trial and
conclude the same within stipulated period of time (one year).

(Sunil Kumar Panwar, J)

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