

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3446 of 2023

Arising Out of PS. Case No.-389 Year-2022 Thana- RAXAUL District- East Champaran

PRAMESHWAR PANDIT @ PRAMESHWAR PANDIT THARU Son of
Thagan Pandit @ Thagan Pandit Tharu R/V- Baderwa, P.S- Ektanga, Dist-
Paras Nepal

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India Govt. of India

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhurendra Kumar, Advocate
For the State	:	Mr. Rajiv Nayan, APP
For the Union of India	:	Ms. Priyanka Raj Lakshmi, C.G.C.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 02-05-2023 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the Union of India.
2. Petitioner seeks regular bail in connection with
Raxaul (Haraiya) P.S. Case No. 389 of 2022 dated 06.08.2022
registered for the offences punishable under Sections 20(b)(ii)
(c) and 23(c) of the NDPS Act.
3. As per the prosecution, police personnel during
check inspection apprehended this petitioner along with other
co-accused person and upon making search in total 3.800
kilograms of contraband suspected to be *Ganja* was recovered
from his conscious possession.
4. The main submissions advanced by petitioner's



counsel are that as per the allegation 3.800 kilogram of narcotic material suspected to be *Ganja* is stated to have been recovered from the possession of this petitioner and co-accused, Pradip Sahani and the said contraband is stated to have been recovered from the joint possession of both the accused persons and investigation has been completed against the petitioner and he has been languishing in jail since 07.08.2022 having fair and clean antecedent.

5. Learned counsel appearing for the Union of India vehemently opposes the prayer for bail and submits that the alleged contraband was recovered from the joint possession of this petitioner and the co-accused in the presence of two independent witnesses and the alleged recovery was made at the *Indo-Nepal* Border and the alleged narcotic material was being smuggled from Nepal to Indian territory.

6. Heard both the sides, perused the FIR and the seizure list of this case. The petitioner is a citizen of Nepal country and he and co-accused were arrested with the alleged contraband at the *Indo-Nepal* Border and the alleged recovery was made before the two independent witnesses and his case is at initial stage. Considering all these facts, I am not inclined to enlarge the petitioner on bail, accordingly, petitioner's prayer for



bail stands rejected.

7. The trial Court is directed to expedite the trial of the petitioner and take steps to conclude the same in the next one year, if petitioner’s trial is not concluded within the said period then the petitioner may renew his prayer for bail.

(Shailendra Singh, J.)

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