

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10030 of 2023

Arising Out of PS. Case No.-13 Year-2022 Thana- BAJPATTI District- Sitamarhi

Nasim Nadaf @ Wasim @ Md. Nasim S/O Late Md. Hasim Nadaf Resident
Of Village- Bhalahi, P.S.- Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 10-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with Bajpatti P.S. Case No. 13 of 2022 instituted for the offence under Sections 399, 402, 413 and 414 of the Indian Penal Code , Sections 8, 20(b)ii(c) and 22 of the NDPS Act and 25(1-b)a, 26 and 35 of the Arms Act.

As per the prosecution case, it is alleged that the poice on secret information, raided an orchard where 12-13 miscreants including this petitioner have assembled to commit crime and this petitioner was apprehend on the place of occurrence by the police and from his possession one country made pistol along with 2 live cartridges, 1.4 kg of charas like narcotics substance, one mobile and one bullet motorcycle were recovered.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this present case. Moreover, he is languishing in judicial custody since 22.01.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in FIR and he has five criminal antecedent as well. It is further submitted that from the possession of this petitioner, there have been recovery of one loaded country made pistol along with 2 live cartridges, 1.4 kg charas like narcotics substance and some other incriminating articles. The recovered 1.4 kg of charas comes within the purview of commercial quantity as per NDPS Act.

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 expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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