

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26995 of 2023

Arising Out of PS. Case No.-329 Year-2021 Thana- SUGAULI District- East Champaran

DEVENDRA PASWAN SON OF RAGHUBIR PASWAN Resident of Village
- Brindaban Gote, Mushahari, P.S. - Tariyani, Distt. - Sheohar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 414 of the IPC and
Section 8, 20 (B) (II) (c) of NDPS Act.

Prosecution case relates to recovery of one stolen
motorcycle without registration number and 2.250 kilogram
charas like substance from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this Case. No local
person was made as a witness of the seizure list rather seizure
list witnesses are police personnel. There is complete violation
of provision of Section 50 of the NDPS Act. Petitioner is



languishing in judicial custody since 10.8.2021.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that as per FSL report, the seized article is Charas, and the same was beyond the commercial quantity. During investigation, several witnesses have supported the prosecution story.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is not inclined to enlarge the petitioner on bail. Hence, the prayer for bail stands rejected.

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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