

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43808 of 2023

Arising Out of PS. Case No.-320 Year-2021 Thana- BHOORE District- Gopalganj

=====

Ashok Singh @ Ashok Kumar S/O Ramji Rai @ Ramjee Singh R/O Village-
Lamichaur, Khajuraha, P.S- Bhorey, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 17-10-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 8, 20(b), 18, 22, 23, 27 of the N.D.P.S. Act.

There are recoveries of 32.10 grams of *Smack*
and 880 grams of *Charas* from the possession of
petitioner.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. Nothing has been recovered
from the conscious possession of the petitioner. The



recovery has been made from some other place and since some altercation took place between the petitioner and the police, hence, he has been implicated in this case. The petitioner has no concern with the seized narcotic substance. Moreover, the seized narcotic substance does not come within the purview of commercial quantity. The petitioner is languishing in custody since 26.07.2021.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

In pursuance to the direction of this Court, a report with regard to the present stage of the trial has been received which has been kept on record as Annexure-R. The report of learned 1st Additional Sessions Judge, Gopalganj dated 07.08.2023 suggests that up-till now charges have not been framed which suggests that there is no hope of the trial being concluded in near future.



Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, N.D.P.S Act, Gopalganj in connection with Bhore P.S. Case No. 320 of 2021, arising out of Sessions Trial No. 38 of 2021.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

