

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45190 of 2022

Arising Out of PS. Case No.-323 Year-2021 Thana- SABAUR District- Bhagalpur

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Md. Gulab Alam Son Of Hasibuddin @ Md. Hasib R/O Village- Habibpur,
P.S.- Habibpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 04-04-2023 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 414, 34 of the Indian Penal Code and Sections

20(b)(ii)(B), 25 of the N.D.P.S. Act.

There is recovery of 411 grams of brown sugar

from the possession of the petitioner.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely



been implicated in this case. It is further submitted that seizure and search is in complete violation of Section 100 of the Cr.P.C and the seizure list witnesses are police constables who are bound to support the informant. The petitioner is languishing in custody since 21.12.2021. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 at Flag-D. The report of learned Additional District & Sessions Judge-IV, Bhagalpur dated 21.02.2023 suggests that trial will be concluded within two months.

Considering the quantity of recovery of brown sugar from the possession of the petitioner, this Court is not inclined to grant bail to the petitioner for the present. The prayer for grant of bail to the petitioner stands rejected.

The trial Court is directed to expedite the trial



and conclude the same within the time as stipulated in
its report dated 21.02.2023.

(Sunil Kumar Panwar, J)

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