

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50690 of 2023

Arising Out of PS. Case No.-152 Year-2023 Thana- JAYNAGAR District- Madhubani

Raushan Kumar Son Of Dev Narayan Mahto Resident Of Village- Betaunha
Ps- Jaynagar Dist-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted for the offence under Section 414 of the Indian Penal Code, Sections 8, 21 and 22 of the N.D.P.S. Act and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. It is case of recovery of 288.59 Gm of *Heroine*/smack like substance, other narcotics substance, country-made pistol and other articles from the house of the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that the provision of Section 50 of the N.D.P.S. Act has not been followed in this case. Petitioner is languishing in judicial custody since 13.04.2023.



5. Learned APP for the State has opposed the application for bail and submitted that petitioner is named in the FIR and he has been made accused in two more cases. He further submitted that the seized *Heroine*/smack like substance from the possession of the petitioner comes within the purview of commercial quantity as per N.D.P.S. Act. During investigation several witnesses have also supported the prosecution case.

6. 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.

7. The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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