

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59847 of 2022**

Arising Out of PS. Case No.-323 Year-2020 Thana- KUDHNI District- Muzaffarpur

Prashant Gaurav, S/o Sujeet Kumar @ Sujit Kumar, R/o Village- Gopalpur,  
P.S.- Sakra, Distt-n Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Ms. Renu Kumari

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

3      28-02-2023                      Heard Ld. counsel for the petitioner and Ld. APP  
for the State.

The petitioner seeks bail in connection with  
N.D.P.S. case no. 43 of 2020 arising out of Kudhni (Turki  
O.P) P.S. Case No.323 of 2020, registered for the offences  
punishable under Sections 414 of the Indian Penal Code  
and Section 8, 20 and 22 of the N.D.P.S. Act

As per allegation, 1kg 70 g of charas has been  
recovered from the dicky of a motorcycle bearing  
Registration no. BR06BU-6121.

Ld. counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in this



case. He further submits that investigation in this case is complete and charge-sheet has already been submitted and there is no progress in the trial.

He further submits that the petitioner has been languishing in jail since 03.06.2020.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in five other cases and he is on bail in all the cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the commercial quantity of the recovered contraband, I am not persuaded to enlarge the petitioner on bail at this stage.

**The petition stands rejected accordingly.**

However, Ld. Trial Court is directed to expedite the Trial and in case the Trial is not concluded within **one year**, the petitioner will have liberty to renew his prayer for bail.

Ld. counsel for the petitioner is directed to remove



all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

**(Jitendra Kumar, J)**

chandan/-

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