

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4791 of 2023

Arising Out of PS. Case No.-303 Year-2020 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

MD. SAHIL SON OF MD. BASIR R/O MOHALLA- SADPURA MILKI
TOLA, P.S.- KAZIMOHAMADPUR, DISTRICT- MUZAFFARPUR
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 26-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed his prayer for bail in a case registered under sections 20(b)(ii)(B) and 27 of the NDPS Act, 1985.

As per the prosecution case, 120 gms. of *charas* (smack) and Rs. 73,400/- in cash was recovered from the house of the petitioner.

The earlier prayer for bail of the petitioner was rejected vide order dated 4.1.2022 (Annexure-1) passed in Cr. Misc. no. 16702 of 2021.

Learned counsel for the petitioner submits that the petitioner who belongs to a very humble background is in custody since 22.11.2020 and still charges have not been framed



and thus there is no chance of the trial concluding in the near future. He undertakes to cooperate in the trial.

The prayer for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation according to which 120 gms. of *charas* together with Rs. 73,400/- in cash was recovered from the house of the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

In view of the fact that the petitioner has remained in custody for over two years, liberty is granted to the petitioner to renew his prayer for bail after six months or after framing of charge, whichever is later.

(Partha Sarthy, J)

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