

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12492 of 2024

Arising Out of PS. Case No.-619 Year-2023 Thana- NARPATGANJ District- Araria

Roshan Rai @ Roshan Roy S/O- Varun Rai R/O- Village- Itwari, Ward No.-
3, P.S.- Gachiya, Dist.- Morang (Nepal)

... .. Petitioner/s

Versus

The state of bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 27-02-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with
Special Case No. 105 of 2023 arising out of Narpatganj
(Basmatiya) P.S Case No. 619 of 2023 from the Court of
learned Sessions-cum-Special Judge, NDPS Act, Araria
registered for the offences punishable under Sections 21(c),
22 and 23 of the Narcotic Drugs and Psychotropic
Substance Act (in short NDPS Act).

3. As per allegation in the FIR, total 20 grams
brown sugar recovered from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. It is next submitted that petitioner is made accused on mere suspicion. It is also submitted that petitioner is in judicial custody since 27.10.2023 and petitioner has got no criminal antecedent as stated in para 3 of the petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. In view of the allegation as regard to recovery and considering all circumstance of this case this Court is not inclined to grant bail to the petitioner.

7. Hence, the prayer for regular bail of the petitioner is rejected. Trial Court is directed to conclude the proceeding of trial within a period of six months from date of receipt of this order, if the proceeding of trial is not concluded within six months, the trial court can grant bail to the petitioner after the aforesaid period.

(Ramesh Chand Malviya, J)

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