

Arising Out of PS. Case No.-236 Year-2023 Thana- BASOPATTI District- Madhubani

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... .. Petitioner/s

## Versus

## The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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

## ORAL ORDER

2 05-03-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Basopatti P.S. Case No.236 of 2023 registered for the offence under Sections 272 and 273 of the Indian Penal Code, Sections 3, 21 and 22 of the NDPS Act and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 18 litre of illicit liquor and 1.5kg of *Ganja* from the possession of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that alleged



recovery of contraband like '*ganja*' is much less than commercial quantity. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner is in custody since 26.10.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. In view of the allegation and as alleged recovery was made from conscious physical possession of this petitioner, this Court is not inclined to grant bail to the petitioner, at present.

7. However, trial court is directed to conclude the trial, preferably, within 09 (nine) months from the date of framing of charge and if the charge has not been framed than the charge shall be framed within a period of 15(fifteen) days from the date of receipt of a copy of this order. Petitioner may be at liberty to renew his prayer for bail before learned trial court, if the trial could not concluded within specified period of time.

**(Ramesh Chand Malviya, J)**

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