

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24594 of 2024

Arising Out of PS. Case No.-197 Year-2023 Thana- AANDAR District- Siwan

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1. Alok Singh @ Alok Kumar Singh, Male, aged about 18 years, Son of Rajesh Singh, Resident of Village- Gaura, P.S. Aandar, District- Siwan.
 2. Subodh Singh @ Subodh Kumar Singh, Male, aged about 21 years, Son of Sushil Singh @ Sushil Kumar Singh, Resident of Village- Piyaur, P.S.- M.H. Nagar, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through Intelligence Officer, Narcotics Control Bureau, Patna Zonal Unit, Patna Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumari Anupam, Advocate
For the Opposite Party/s	:	Mr. Ganesh Prasad Singh, APP
For the UOI	:	Mr. Ram Tujabh Singh, CGC

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 22-04-2024 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the Union of India.

2. The petitioners seek bail in connection with N.D.P.S. Trial No. 02 of 2024 arising out of Aandar P.S. Case No. 197 of 2023 instituted for the offences punishable under Sections 25(1-b)(a), 26 and 35 of the Arms Act and Sections 8, 20, 21(B) and 22 of the N.D.P.S. Act.

3. As per the prosecution case, a country made loaded Katta, a live cartridge from pocket of paint and Rs. 10,000 (ten thousand) has been recovered from Alok Singh (petitioner no. 1)



and from Subodh Singh (petitioner no. 2), 1.400 gm. of Ganja which is rapped in polyethylene has also been recovered.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence and have falsely been implicated in this case. There is neither any independent witnesses mentioned in the seizure list nor forensic report that the seized item is contravene items. Petitioners have three criminal antecedent as stated in para 3 of the petition are in custody since 28.09.2023.

5. Learned APP for the State and learned counsel for the Union of Indian have vehemently opposed the prayer for bail.

6. From perusal of the FIR and the impugned order dated 07.02.2024 passed by the learned 1st, Additional Sessions Judge-cum-Special Judge, Siwan, it appears that petitioners are named in the FIR and there are specific allegation against these petitioners, who involved in country made loaded katta, live cartridge and Ganja from their possession. Petitioners have three criminal antecedent as stated in para 3 of the petition.

7. Considering the recovered articles, which have been recovered both from the possession of the petitioners and the seriousness of the case, I am not inclined to grant bail to the



petitioners.

8. The prayer for regular bail of the petitioners are hereby rejected.

9. The trial Court is directed to conclude the trial preferably within a period of six months from the date of receipt of this order. If the trial is not concluded within the stipulated period, the petitioners may renew their prayer for bail before the trial Court.

(Ramesh Chand Malviya, J)

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