

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24801 of 2024

Arising Out of PS. Case No.-717 Year-2023 Thana- KRITYANAND NAGAR District-
Purnia

Roushan Kumar Gupta Son Of Shankar Prasad Gupta @ Shankar Gupta
Resident Of Village- Champanagar Ward No. 12, Ps- K. Nagar
(Champanagar), Dist- Purnea

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 23354 of 2024

Arising Out of PS. Case No.-717 Year-2023 Thana- KRITYANAND NAGAR District-
Purnia

Manish Kumar Son of Awdhesh Kumar Mehta Residence of Jagni, P.S.- K.
Nagar (Champa Nagar), District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 24801 of 2024)

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv with
Mr. Md Fazle Karim, Adv

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

(In CRIMINAL MISCELLANEOUS No. 23354 of 2024)

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 10-09-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in a case
instituted for the offence under Sections 8(c) and 21(b) of the
N.D.P.S. Act in connection with Krityanand Nagar P.S. Case No.



717 of 2023.

3. As per prosecution case, on secret information received that some persons are smuggling of smack from Champanagar to Purnea, thereafter the police party reached at that place and after seeing the police, petitioner namely, Manish Kumar was succeeded in fleeing away but the petitioner namely, Raushan Kumar Gupta was apprehended and on search, there has been recovery of 100 gm of *Smack* from his possession.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. He submitted that petitioners have no concerned with the alleged recovery of *Smack*. The provision of Section 50 of the N.D.P.S. Act has not been followed in this case, while preparing the seizure list. Petitioners are in custody for more than eight months.

5. Learned APP for the State has opposed the application for bail and submitted that petitioners are named in the FIR. He submitted that these petitioners have involved in the business of smuggling of smack and they also having criminal antecedents. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties as well as the nature of allegation, this Court is not inclined to



enlarge the petitioners on bail and, as such, their prayer for bail stands **rejected**.

7. The trial Court is directed to expedite the trial within a period of nine months, positively, failing which the petitioners will be at liberty to renew their prayer for bail.

(Nawneet Kumar Pandey, J)

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