

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45115 of 2024

Arising Out of PS. Case No.-1214 Year-2022 Thana- FORBESGANJ District- Araria

Guddu @ Md. Guddu @ Azhar @ Md. Azhar S/o Akhtar Husain R/o vill -
Purwari Jhirwa, P.S. - Simraha, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Rana, Advocate
For the State	:	Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-08-2024 Heard Mr. Mukesh Kumar Rana, learned counsel

for the petitioner and Mr. Zainul Abedin, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
06.01.2023, in connection with Special (N.D.P.S.) Case No. 41
of 2022 arising out of Forbesganj P.S. Case No. 1214 of 2022,
FIR dated 16.11.2022 for the offences punishable under
Sections 21(b), 8, 17(C) and 18(C) of the N.D.P.S. Act.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 21.08.2023 passed in Cr. Misc. No.
27167 of 2023.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and he has falsely been implicated in
the present case. He further submits that the allegation as
alleged in the FIR is false and fabricated and the name of the



petitioner has been transpired on the basis of the confessional statement of the co-accused person, namely, Md. Moosa. The petitioner is rotting in judicial custody since 06.01.2023.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that it appears from the FIR itself that recovery has been made from the possession of co-accused person and on his confessional statement the name of the petitioner has been transpired in this case. He further submits that petitioner carries six more cases other than the present one and out of six cases three cases pertaining to the N.D.P.S. matter.

6. Considering the facts and circumstances of the case as well as the criminal history of the petitioner in the N.D.P.S. matter, I am not inclined to enlarge the petitioner on bail in connection with Special (N.D.P.S.) Case No. 41 of 2022 arising out of Forbesganj P.S. Case No. 1214 of 2022 pending in the Court of learned Sessions Judge, Araria.

7. Prayer is refused.

8. However the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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