

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54565 of 2023**

Arising Out of PS. Case No.-98 Year-2022 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

MD. FAIJAN S/o Md. Imteyaj @ Md. Imteyaj Alam R/o Village-Chak
Sikandar, P.S.-Bidupur. A/P Mohalla-Bagdulhan, P.S.-Town, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rina Sinha, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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

ORAL ORDER

7 27-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Muzaffarpur P.S. Case No.98 of 2022 registered for the offence
under Sections 399, 402, 342, 323, 324, 307, 332, 353/34 of the
Indian Penal Code, Sections 25(1-b)a, 26, 27 and 35 of the Arms
Act and Sections 8/20(b) (ii) (A) of the NDPS Act.

3. Allegation against the petitioner is to involve
in committing crime along with other co-accused person near
Maszid situated at Manjholia and during course of search
recovery of 1 kg of contraband like 'charas' and knife stainless



baton sword 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, merely on the basis of suspicion. It is submitted that nothing has been recovered from the possession of this petitioner and he has no concern with the recovered '*charas*'. It is also submitted that there is violation as regard to mandatory provision under Section 50 of the NDPS Act. It is further submitted that petitioner is in custody since 25.02.2022.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner and submitted that specific allegation as regard to assault by means of knife is against this petitioner.

6. In view of the allegation and submissions, as made and as specific and serious allegation as regard to assault by knife to Sub-Inspector of Police, namely, Ramjeet Yadav, as recovery of 1 kg. contraband like '*charas*' and two feet long knife, a pistol with two live cartridges and also surgical blade made from the possession of this petitioner, this Court is not inclined to grant bail to the petitioner, at present.

7. Trial Court is directed to conclude the trial of



this case within a year from the date of receipt of a copy of this order.

(Ramesh Chand Malviya, J)

S.Katyayan/-

U		T	
---	--	---	--

