

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57449 of 2024

Arising Out of PS. Case No.-451 Year-2022 Thana- CHAKIA District- East Champaran

Md. Ashique @ Md. Ashique Mansoori @ Ashique Mansoori Son of Late
Jalaluddin Mansoori @ Md. Jalaluddin Mansoori Resident Of Village -
Basudev Brit, Ward No. 8, Jhulaniya Chowk, P.S. - Sahebganj, District -
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

4 13-09-2024

Heard learned counsel for the petitioner and learned

A.P.P for the State.

2. The petitioner seeks bail in connection with Chakia
P.S. Case No. 451 of 2022 dated 28.10.2022 registered for
the offence punishable under Sections 8, 20, 22(b) and 29 of
the N.D.P.S. Act and Sections 412 and 413 of the Indian
Penal Code.

3. The prosecution case, in short, is that, accused of
Chakia P.S. Case No. 213 of 2022, namely, Md. Ashique
(the petitioner) was arrested and during course of the
investigation, he disclosed about the stolen articles of
Chakia P.S. Case No. 213 of 2022 and thus the informant



apprehended the mother and sister of the petitioner and recovered all the looted articles along with 1 kg 100 gm of Ganja, 328 gm gold and 2 kg 200 gm silver from their possession.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that nothing has been recovered from the possession of the petitioner. It is submitted that the petitioner was arrested in Chakia P.S. Case No. 213 of 2022 and after his arrest, the police went to his house from where stolen jewellery and 1 kg 100 gm of Ganja was recovered from his house. It is submitted that no T.I.P. has been conducted in this case till today. Only on the basis of suspicion, he has been arrested in Chakia P.S. Case No. 213 of 2022. Lastly, it has been submitted that the petitioner is in custody since 29.10.2022, having one criminal case against him and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.



6. By order dated 30.08.2024, a report with regard to present status of Trial in the court below was called for from the court below and learned Trial Court has sent the status of the trial, which has been received by Registry of this Court. The learned Trial Court has stated that there are altogether five charge-sheet witnesses in this case and all of them have been examined. The present case is pending for defence argument and next date fixed in the case is 12.09.2024.

7. Considering that the trial is at its fag end, I am not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner is **rejected.**

(Khatim Reza, J)

prabhat/-

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

