

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60987 of 2023

Arising Out of PS. Case No.-378 Year-2023 Thana- HARSIDHI District- East Champaran

Sadhu Patel, male aged about 30 years, Son of Late Triveni Patel @ Late Tribeni Raut, Resident of Village Harsidhi, Dhobiya Tola, P.S. - Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Raj, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

8 27-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Harsidhi PS Case No. 378 of 2023 instituted for the offences punishable under Sections 8/20(b) (ii) (c) of the N.D.P.S. Act

3. As per the prosecution case, total 1 kilogram *Charas* (250 gm each) has been recovered from the possession of the petitioner and other co-accused person.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case at the instance of local Chowkidar. It is further submitted that the petitioner has no concern with the seized charas.

5. Learned APP opposes the prayer for bail.

6. From perusal of the case diary, FIR, seizure list and



also the impugned order of the learned Sessions Judge/Special Judge, East Champaran, Motihari dated 17.07.2023, it appears that the petitioner is named accused in the FIR and he was apprehended on the spot with another co-accused Radheshyan Prasad and from their possession police recovered 500 gm Charas from each accused persons and a seizure list was prepared in this regard. Petitioner is in custody since 11.06.2023.

7. In the facts and circumstances of the case and keeping in view the nature of alleged offence as well as recovery of contraband Charas from the conscious possession of the petitioner, I am not inclined to grant bail to the petitioner.

8. Prayer for regular bail of the petitioner is hereby rejected.

9. Learned trial Court is directed to conclude the trial preferably within a period of one year from the date of receipt of this order. If the trial is not concluded, liberty shall be given to the petitioner to renew his prayer for bail before the trial Court.

(Ramesh Chand Malviya, J)

Anand Kr.

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

