

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65644 of 2023

Arising Out of PS. Case No.-88 Year-2023 Thana- PAHARPUR District- East Champaran

Awanish Singh @ Awanish Kumar Singh @ Deva S/O Chandeshwar Singh
R/O Village- Bisahi, P.S- Paharpur, Distt.- East Champarn.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Paharpur P.S. Case 88 of 2023 instituted for the offence under Sections 414 of the Indian Penal Code, Sections 25(1-B)a, 26 of the Arms Act and Section 20 and 22 of the N.D.P.S. Act.

3. According to F.I.R., it is a case of recovery of one loaded country made pistol, two live cartridges, one mobile, one stolen motorcycle, 340 grams charas and 21 grams opium like substance from the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case by the police. The petitioner has no concern with the alleged recovery of motorcycle, charas and



opium like substance or arms. Provision of N.D.P.S. Act as well as Section 100 Cr.P.C. has not been followed by the police personnel at the time of preparing the seizure list. It is further submitted that the petitioner is languishing in judicial custody since 07.03.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner was arrested on spot with a stolen motorcycle and from whose possession, 340 grams charas and 21 grams opium like contraband substance and firearms were recovered. The petitioner could not produce the paper regarding seized motorcycle. It is further submitted that the petitioner has also got three criminal antecedents.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

lata/-

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

