

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70289 of 2023

Arising Out of PS. Case No.-634 Year-2021 Thana- SAKRA District- Muzaffarpur

VISHUNDEO PASWAN SON OF LATE GANGA PASWAN RESIDENT OF
VILLAGE - RAJAPUR, P.S. - SAKRA, DISTRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 12-01-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks regular bail in connection with Sakra P.S. Case No. 634 of 2021 dated 31.12.2021 registered for the offence(s) punishable under Section(s) 399, 402 read with Section 34 of the Indian Penal Code, under Sections 25(1-b)(a), 26 and 35 of Arms Act and under Sections 8, 20 and 22 of N.D.P.S. Act.

3. This is second attempt of the petitioner for the relief of regular bail after the petitioner's earlier attempt for the same relief was rejected by this Bench vide order dated 14.03.2023 passed in Cr. Misc. No. 45756 of 2022 preferred by this petitioner.

4. The main submissions advanced by learned counsel



for the petitioner are that the petitioner has been languishing in jail since 01.01.2022 and the instant matter relates to the recovery of one kilogram of narcotic material believed to be *Charas* and the petitioner's trial has commenced but only charges have been framed upon the petitioner and till date no prosecution witness has been examined.

5. Learned APP appearing for the State opposes the bail prayer and submits that earlier petitioner's prayer for bail has been rejected on merit.

6. Considering the seriousness of allegation which relates to recovery of commercial quantity of narcotic material, which has been confirmed by the F.S.L., this court is again not inclined to accept the bail prayer of the petitioner. Accordingly, the bail prayer of the petitioner stands rejected.

7. Since the trial of the petitioner has commenced, the learned trial court is directed to expedite the trial of the petitioner as he has been languishing in custody since 01.01.2022 and conclude the same in the next nine months, if the trial of the petitioner is not concluded in the said period, then the petitioner may renew his prayer for bail.

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(Shailendra Singh, J)

