

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72348 of 2023

Arising Out of PS. Case No.-177 Year-2022 Thana- MAHNAR District- Vaishali

Raghubir Ram Son Of Late Jagdish Ram R/O Village- Azampur, P.S.- Desari
(CHANDPURA-O.P.), Dist.- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 414 of the Indian Penal Code, Sections 25(1-b)A, 26 of Arms Act and Section 8/20(b)(ii), (c), 25 of NDPS Act.

As per the allegation in the F.I.R., petitioner was apprehended with a motorcycle (without number plate), one country made pistol, one live cartridge and 20kg 200 grams Ganza, silver coin and money which are alleged to be looted property.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has no concern with the motorcycle, Ganza or with recovered country made pistol. There is no independent witness of the alleged seizure. Moreover, the petitioner is in judicial custody since 30.06.2022.

Learned APP appearing on behalf of the State vehemently opposed the prayer of the petitioner and submitted that the recovered Ganza is more than commercial quantity as per N.D.P.S. Act. The F.S.L. report of the seized Ganza has been found positive, containing T.H.C. as their chief intoxicating ingredient.

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.

Learned trial court is directed to expedite the trial and conclude the same within a period of nine months.



However, if the trial of the petitioner is not concluded within a period of nine months, he would be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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