

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73591 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- BAGENGOLA District- Buxar

Binod Singh @ Vinod Singh, aged about 47 years, Gender-Male, Son of Vishendra Singh, Resident of Village- Kaithi, P.S. - Bagengola, District – Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Shankar Choubey, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

5 20-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with N.D.P.S. PS Case No. BRBU10P0018962023 arising out of Bagengola P.S. Case No.98 of 2023 instituted for the offences punishable under Sections 8(c), 21 (b) of the N.D.P.S. Act.

3. As per the prosecution case, total 5.220 gm Heroin has been recovered from the conscious possession of the petitioner.

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 due to oblique reason and ulterior motive. Petitioner is named in the FIR. From perusal of



the FIR, seizure list and impugned order passed by the learned District Judge-cum-Special Judge, N.D.P.S. Act, Buxar dated 26.09.2023, it appears that 5.220 gm heroin has been recovered from the conscious possession of the petitioner Binod Singh @ Vinod Singh, which was kept in 21 pudiya so it denoes that recovered drugs is for the purpose of selling. The signature of the petitioner is also available in the seizure list and presence of two witnesses who are official witness. Petitioner is in custody since 08.09.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant bail to the petitioner.

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

8. However, learned trial Court is directed to conclude the trial within a period of one year from the date of receipt of this order, if not concluded petitioner shall be at liberty to renew his prayer for bail.

(Ramesh Chand Malviya, J)

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