

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75907 of 2023

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

Radhe Shyam Prasad Gupta @ Radhe Shyam Prasad Son Of Chunni Lal Prasad Resident Of Village-Harsidhi Bajar, Ps- Harsidhi, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

7 17-05-2024 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 500 grams *Charas* has been recovered from the 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. It is further submitted that the petitioner has no concern with the seized charas and the petitioner is in custody since 11.06.2023.

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 19.10.2023, it appears that the petitioner is named accused in the FIR and he was apprehended on the spot and from his possession police recovered 500 gm Charas from the petitioner and a seizure list was prepared in this regard.

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 nine months from the date of receipt of this order and if the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail before the trial court.

(Ramesh Chand Malviya, J)

Brajesh
Kumar/Vinayak-

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