

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2536 of 2024

Arising Out of PS. Case No.-328 Year-2023 Thana- RAGHOPUR District- Supaul

Asim SK @ Wasim Sheikh @ Ashim Sheikh @ Asim Sheikh, aged about 24 years, Male, S/O Muktar Ali, resident of Village- Mosimpur, PS- Kalichak, District- Maldah (West Bengal)

... .. Petitioner/s

Versus

The STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar, Advocate
For the Opposite Party/s	:	Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 27-02-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Raghopur P.S. Case No.-328 of 2023 registered for the offence under Sections 8 (c), 21(c) and 29 of the NDPS Act.

3. As per the prosecution case, total 64 grams brown sugar has been recovered from the possession of co-accused Rahul Kumar Yadav and also 104 grams of brown sugar like substance was recovered from the pocket of the petitioner.

4. Learned counsel for the petitioner has submitted that petitioner has falsely been implicated in this case. He next submits that no any incriminating article has been recovered from the possession of the petitioner and he is not con-



cerned with the alleged recovery made by the police or with the co-accused. He next submits that similarly situated co-accused has been granted bail by this Court passed in Cr. Misc. No. 6577 of 2024. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 07.09.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and also the fact that similarly situated co-accused has already been granted bail by this Court, let the petitioner, above named, be directed to be released on bail ***after framing of the charge*** in connection with Raghapur P.S. Case No.328 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS, Supaul.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to present physically on each and every



date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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