

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1227 of 2024

Arising Out of PS. Case No.-512 Year-2022 Thana- KUCHAIKOTE District- Gopalganj

Shan Mohammad S/O CHAN MOHAMMAD @ CHAND MOHAMMAD
R/O VILLAGE- KASBA MOHALLA, TALAH, P.S. - JHINJHANA, DIST.
SHAMLI, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Singh, Advocate Mr. Mayank Raj, Advocate Mr. Ranjit Kumar, Advocate Ms. Sudha Chandra, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Trial no.11 of 2023/PT no. 1213 of 2022, arising out of Kuchaikote P.S Case no. 512 of 2022 registered under sections 20(b) II(C), 23, 25 and 29 of the N.D.P.S Act.

3. As per the prosecution case, 62 kgs of *charas* was recovered from the vehicle in question and the two accused persons including the petitioner herein who made an attempt to escape were caught.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No



incriminating article was recovered from the possession of the petitioner. The vehicle as also the seized articles are said to belong to one Raees Miyan. There is an inordinate delay in sending of the F.I.R to the Court. There is violation of section 50 of the N.D.P.S Act. The petitioner is in custody since 1.12.2022 and investigation in the case has concluded. He undertakes to cooperate in the trial.

5. The application for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the recovery of 62 kgs of *charas* from the vehicle in question and the petitioner having been arrested on the spot, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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