

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8795 of 2025

Arising Out of PS. Case No.-275 Year-2020 Thana- PIPRA District- East Champaran

Sumit Kumar @ Sumit Singh @ Raj Tilak @ Rajtilak Singh S/o- Ashok
Singh Village- Tajiyapur Ps- Pipra Dist- 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. Satyendra Prasad, A.P.P

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 28-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
N.D.P.S. Case No. 28 of 2020 arising out of Pipra P.S. Case
No.275 of 2020 lodged on 10.08.2020, for the offence
punishable under Sections 399 & 402 of the Indian Penal Code
and sections 25(1-b)(a), 26 & 35 of the Arms Act read with
sections 20 & 22 of the N.D.P.S. Act, pending in the Court of
learned Exclusive Special Court-I, N.D.P.S. Act, Motihari, East
Champaran.

3. As per the prosecution case, recovery of country
made pistol with three live cartridges and 1 kg *charas* have been
made from the conscious possession of the petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is in custody since 11.08.2020 and his prayer for regular bail application has earlier been rejected twice by the Co-ordinate Bench of this Court *vide* orders dated 01.02.2023 & 05.01.2024 passed in Cr. Misc. Nos. 44816 of 2022 & 78821 of 2023 respectively. Learned counsel submits that *vide* order dated 05.01.2024, specific direction was given to the trial court to conclude the trial within a period of nine months, failing which, the petitioner would be at liberty to renew his prayer for bail. It has further been submitted that a report had been called for with regard to the stage of the trial/case, from which, it transpires that five witnesses out of 8 charge-sheet witnesses have already been examined including the informant and three witnesses including the Investigating Officer are left to be examined. N.B.W. has already been issued against the non-examined witnesses and the next date for prosecution evidence was 07.03.2025.

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

6. Considering the recovery of huge quantity of narcotic substance and fire arms in this case as well as considering the stage of the trial, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.



7. However, the learned court concerned is directed to conclude the trial expeditiously preferably within a period of six months, failing which, the petitioner would be at liberty to renew his prayer for bail.

(Soni Shrivastava, J)

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