

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8523 of 2025

Arising Out of PS. Case No.-366 Year-2023 Thana- RAXAUL District- East Champaran

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Sheikh Anwar @ Shek Anwar S/o- Late Sheikh Tajmul @ Shekh Tezampur
Resident of Village - Milan Chowk, Nawka Tola, P.O. and P.S. - Milan
Chowk, District - Parsa (Nepal)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the SSB Mahadeva Raxaul Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Madhurendra Kumar, Advocate
For the State	:	Mr. Tarun Prasad Mandal, A.P.P
For the UOI	:	Ms. Sarita Bajaj, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 16-05-2025 Heard Learned counsel for the petitioner, Learned
A.P.P. for the State and Learned counsel for Union of India.

2. The petitioner seeks regular bail in connection with
N.D.P.S. Case (pre-trial) arising out of Raxaul P.S. Case No. 366
of 2023 lodged on 03.08.2023, for the offence punishable under
Sections 8/20(b)(ii)(C) of the N.D.P.S. Act, pending in the
Court of Sessions Judge/Special Judge, East Champaran,
Motihari.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected *vide*
order dated 20.02.2024 passed in Cr. Misc. No. 9501 of 2024
with liberty granted to the petitioner to renew his prayer for bail
nine months after framing of charge and the Trial Court was also



directed to expedite the trial. Counsel submits that petitioner is in custody since 03.08.2023 having clean antecedent. Counsel submits that on earlier occasion, report with regard to present stage of the case was called for.

4. Learned counsel for Union of India opposes the prayer for bail and submits that every effort is being made for adducing evidence in this case.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that on earlier occasion, report with regard to the present stage of the case has been called for and from the said report, it transpires that out of seven charge-sheet witnesses, four witnesses have been examined and the case is running for the evidence of rest witnesses.

6. In this view of the matter, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

7. Speedy trial is the constitutional vision of justice. From the record, it transpires that the present case is relating to District-East Champaran and the informant is ASI/GD, 47th BN.S.S.B. Therefore, Superintendent of Police, East Champaran is hereby directed to do the needful by directing the concerned S.H.O/I.O/concerned official of this case to assure the



appearance of the rest witnesses for adducing evidence in connection with N.D.P.S. Case (pre-trial) arising out of Raxaul P.S. Case No. 366 of 2023 within four months from the date of communication of this order to him, so that trial takes place at the earliest.

8. Registry is directed to transmit a copy of this order to the Superintendent of Police, East Champaran through fax, e-mail or any other mode forthwith. Registry is further directed to hand over a copy of this order to Learned APP for the State who shall communicate this order to the Superintendent of Police, East Champaran at his level.

(Dr. Anshuman, J)

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