

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68842 of 2024

Arising Out of PS. Case No.-390 Year-2021 Thana- HARSIDHI District- East Champaran

Manish Patel @ Manish Kumar S/O Gena Raut R/O Village- Harsidhi Babu
Tola, P.S- Harsidhi, Distt.- East Champaran. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 07-03-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with NDPS Case No. 95 of 2021 arising out of Harsidhi P.S. Case No. 390 of 2021 for the offence punishable under Section 25(1-b)a/26/35 of the Arms Act lodged on 10.10.2021 by the informant, Pramod Kumar Paswan.

3. As per the prosecution story, the petitioner has been arrested and the recovery is 2 kg and 110 gm 'Charas'. Accordingly, the FIR.

4. Earlier, the petitioner had moved before this Court in Cr. Misc. No. 53500 of 2023 which was came to be rejected on 22.08.2023.

5. In that circumstance, in the second bail application, a report was called for and learned APP has pointed out that out of five charge-sheet witnesses, one has already been examined.

6. The contention of the learned counsel for the



petitioner is that the trial is moving without FSL report.

7. Learned APP took this Court to Flag ‘F’ (FSL report dated 30.09.2022) to show that the report has come in the year 2022 itself and it has confirmed that the content has been found to be ‘Charas’.

8. As per the report dated 22.10.2024, four months have already elapsed, in that background, it would be appropriate that the petitioner cooperate in the trial so that it is taken to its logical conclusion.

9. Considering the aforesaid facts and now that the trial is on and as per the report, one of the witness already stands examined, the bail application stands rejected.

10. Since the petitioner is in custody for long, it is expected that the trial is concluded in next nine months considering that in the month of October, 2024 itself, one charge-sheet witness stands examined.

(Rajiv Roy, J)

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