

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79304 of 2024

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

Shan Mohammad @ Shan Mo S/o Chan Mohammad @ Chand Mohammad
Resident of Village- Kasba Mohalla, Talahi, PS- Jhinhana, Dist- Shamli, UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Harshvardhan, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 17-01-2025

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with 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 earlier prayer for bail of the petitioner was rejected vide order dated 18.01.2024 passed in Cr. Misc. no.1227 of 2024 directing the learned trial Court to expedite the trial. In spite of the petitioner having remained in custody since 1.12.2022, only six witnesses have been examined on behalf of the prosecution and



there is no chance of the trial concluding in the near future.
There is violation of section 50 of the N.D.P.S. Act.

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

6. A report was called for from the learned trial Court.
As per the report received, six out of the nine chargesheet
witnesses have been examined in the learned trial Court.

7. Having heard learned counsel for the parties and
taking into consideration the allegation of recovery of 62 kgs of
charas from the vehicle in question, the petitioner having been
arrested on the spot and the trial having progress in the learned
trial Court with examination of six witnesses, the Court is not
inclined to enlarge the petitioner on bail and the application is
rejected.

(Partha Sarthy, J)

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