

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3881 of 2026

Arising Out of PS. Case No.-458 Year-2022 Thana- RAXAUL District- East Champaran

Riyaz Dewan, S/O Jahir Dewan, R/O Village- Bishrampur, Ward No. 7, P.S-
Pokhariya, Distt.- Parsa (Nepal). Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Adv.

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 19-06-2026

1. Heard the parties.

2. Petitioner seeks regular bail in connection with NDPS Case No. 93 of 2022, arising out of Raxaul P.S. Case No. 458 of 2022, registered for the offence(s) punishable under Section(s) 20(b)(ii)(C), 23(c) and 25 of the NDPS Act.

3. The main submissions advanced by petitioner's counsel are that this is the second attempt of the petitioner to get the relief of regular bail, though his earlier prayer was rejected by this Court vide order dated 31.01.2024 passed in Cr. Misc. No. 46195 of 2023. The fresh grounds for renewing the prayer are petitioner's long custody period as he has been languishing in jail since 30.09.2022 and has spent three years and about eight months till date and one co-accused namely, Vikky Kumar is already on bail and further there is no significant progress in the trial of the petitioner as several prosecution witnesses are



yet to be examined indicating there may be some delay in the final decision of the trial of the petitioner.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner and submits that there is serious allegation against the petitioner who was apprehended with commercial quantity of Charas.

5. Considering the aforesaid submissions and mainly taking into account the lingering attitude of the prosecution in as much out of seven charge sheet witnesses only three witnesses have been examined so far despite the charges having been framed on 12.09.2024 and last prosecution witness was examined on 12.02.2025 and after which there is no progress in the trial as appears from the report of the trial court, in the light of these circumstances, this court finds that the petitioner now deserves the relief of bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Raxaul P.S. Case No. 458 of 2022.

(Shailendra Singh, J)

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