

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24557 of 2020**

Arising Out of PS. Case No.-325 Year-2019 Thana- BAIRIYA District- West Champaran

Sharavan Kumar Kushwaha @ Sharavan Kumar, Male, aged about 22 years,  
Son of Munnilal Prasad, Resident of Village- Sirisiya, Police Station- Bairiya,  
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arbind Kumar Singh, Advocate  
For the State : Mr.Abhay Kumar Roy, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      04-11-2020      Heard the parties through virtual court proceeding.

The petitioner seeks bail in connection with Bairiya  
P.S. Case No.325 of 2019 registered for the offences punishable  
under Sections 20, 22, 23, 24, 25, 27(a), 29 of N.D.P.S. Act.

The informant, on secret information that petitioner  
along with others who are perpetrators of earlier theft in an  
ATM were present at a house, has proceeded to raid the house in  
Chanpatiya and Shikarpur. At Tumkariya Chowk, police party  
surrounded the house from where it is alleged that petitioner and  
one co-accused Ashok Sah have been apprehended.

Learned counsel for the petitioner submits that the  
petitioner has been made accused in the present case on the  
basis of confessional statement of co-accused Ramakant Yadav.



He further submits that no incriminating article has been recovered either from conscious possession of the petitioner or his house. He further submits that during course of raid, a country made loaded katta, 1 kg. Charas and Rs.3,49,500/- have been recovered from possession of Ashok Sah and on another search, a country made loaded katta and 1 kg. Charas also recovered from the possession of Ramakant Prasad. He further submits that disclosure statement of Ramakant Prasad was also taken in which he has taken the name of 5 persons including the petitioner but no any role has been assigned nor said about his involvement and complicity. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by order dated 04.06.2020 passed in Cr. Misc. No.18155 of 2020 and petitioner is in jail custody since 05.10.2019. Learned counsel for the petitioner further submits that the petitioner has got no any criminal antecedent mentioned in paragraph-3 of the bail petition.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned



District and Sessions Judge, West Champaran, Bettiah in  
connection with Bairiya P.S. Case No.325 of 2019.

**(Anjani Kumar Sharan, J)**

Nasimul/-

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