

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32311 of 2020**

Arising Out of PS. Case No.-249 Year-2016 Thana- KADAMKUAN District- Patna

SHRAVAN KAHAR @ BANTI @ SHRAVAN RAM Son of Sagar Ram @  
Sagar Rai Resident of Village- Samsipur, P.S.- Pandarak, District- Patna.  
... .. Petitioner

Versus

THE STATE OF BIHAR ... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Makardhwaj Upadhyay, Advocate  
For the Opposite Party : Mr. Binod Kumar No. 3, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2      08-12-2020                      Heard Mr. Makardhwaj Upadhyay, learned counsel  
appearing on behalf of the petitioners and Mr. Binod Kumar  
No.3, learned Additional Public Prosecutor, for the State of  
Bihar.

This application for grant of regular bail arises out of  
Special Case No. 29 of 2016 (arising out of Kadamkuan P.S.  
Case No. 249 of 2016, registered for the offence punishable  
under Section 2/22 of the N.D.P.S. Act.

Allegedly, from the petitioner's possession 500 gms.  
of charas was recovered.

Learned counsel appearing on behalf of the petitioner  
has submitted that there has been no compliance of the  
mandatory provisions relating to search and seizure under the  
provisions of the Act.

Considering the seriousness of the offence and the



fact that the petitioner has criminal background, as disclosed in paragraph 3 of the application, which reads as under :

**“Kadamkuan P.S. Case No. 259 of 2014, u/s 395, 397  
IPC and 25(10b)a/26/35 Arms Act, Kadamkuan P.S. Case No.  
382/10 u/s 302/34 IPC and  $\frac{3}{4}$  Explosive Substance Act and  
Kadamkuan P.S. Case No. 350/12 u/s 302, 120B/34 IPC”,**

I am not inclined to grant the petitioner privilege of regular bail for the present. This application is accordingly rejected.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall



be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

**(Chakradhari Sharan Singh, J)**

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