

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23036 of 2020

Arising Out of PS. Case No.-10 Year-2019 Thana- HARSIDHI District- East Champaran

SANAUR KHAN Son of Anwar Khan Resident of Village- Jhadwa, P.S.-
Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 08-01-2021 Heard Mr. Dilip Kumar Tandon, learned counsel

for the petitioner and Mr. Nawal Kishore Prasad, learned

Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
NDPS Case No. 4 of 2019 registered for the offences
punishable under Sections 20 and 22 of the NDPS Act.

The allegation as per the First Information Report
is that that 500 grams of *Charas* has been recovered from
possession of the petitioner.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner
alleged and at the time of search and seizure, the procedure
prescribed under Section 50 of NDPS Act has not been



followed by the authority. Learned counsel further submits that 500 grams of *charas* allegedly recovered, is not from conscious possession of the petitioner.

On the other hand, learned counsel for the State submits that 500 grams of *Charas* has been recovered from possession of the petitioner and petitioner has got criminal antecedent inasmuch as four cases are pending against him.

This Court vide order dated 13.10.2020 had called for a report from the learned court below and in pursuance thereof, the report vide letter No. 314 dated 20.10.2020 has been furnished stating therein that the case is pending for examination of prosecution witnesses.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the case is fixed for examination of prosecution witnesses, I am not inclined to grant regular bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner stands rejected.

However, the petitioner may renew his prayer for bail after six months, if the trial does not show any



progress.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

