

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35513 of 2020**

Arising Out of PS. Case No.-158 Year-2020 Thana- GOPALGANJ TOWN District-
Gopalganj

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ROOSAN KHAN @ RAUSHAN KHAN SON OF NEJAMUL HAQUE
KHAN RESIDENT OF VILLAGE - ISLAMIA MOHALLA, WARD NO 12,
POLICE STATION - GOPALGANJ (TOWN), DISTRICT - GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abdul Mannan Khan
Mr. Irshad Ahmad Khan

For the Opposite Party/s : Mr. APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 08-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 08.03.2020 in connection with Gopalganj (Town) P.S. Case No. 158/2020 registered for the offences punishable under Sections 399/402/414/ of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the Arms Act and Section 8(c), 21(a) of the NDPS Act.

As per the prosecution case, on 07.03.2020 at about 11:30 A.M., on a secret information that 6-7 miscreants were planning to commit dacoity at Islamiya Mohalla in front of Gauri Sah shop, a raid was conducted and 5 persons including



this petitioner was apprehended on the spot and on search, one loaded pistol along with 13 sachet of smack weighing 7.2 gm were recovered from the possession of the petitioner.

It is submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner and the alleged recovery is below commercial quantity. Chargesheet has already been submitted in this case. Petitioner is in custody since 08.03.2020.

However, learned A.P.P. appearing on behalf of the State vehemently opposed the bail application and submitted that 7.2 gm. of smack has been recovered from the possession of the petitioner and petitioner has got two criminal antecedents.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is rejected.

However, the petitioner shall be at liberty to renew his prayer for bail after farming of charge.

(Prabhat Kumar Singh, J)

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