

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5907 of 2021

Arising Out of PS. Case No.-169 Year-2020 Thana- PATEPUR District- Vaishali

Rahul Kumar @ Rahul Sahani, Son Of Jawahir Sahni @ Jamahir Sahni, R/O
Village- Chaknasir, P.S.- Patepur, District Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kishor, Advocate
For the Opposite Party/s : Mr.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 02-08-2021 The matter has been taken up today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Patepur P.S. Case No.169 of 2020 registered for the offence punishable under Sections 399, 402, 411, 412, 414, 420/34 of the Indian Penal Code and Sections 25(1-b)a, 26/35 of the Arms Act and Sections 8/20(ii)(b), 25 and 29 of the N.D.P.S. Act, which is pending in the court of the learned Sessions Judge, Vaishali at Hajipur.

On 08.08.2020, a motorcycle has been recovered with 1.5 Kg. *Charas*.

It is submitted by the petitioner's counsel that much prior thereto, i.e., on 04.08.2020, the motorcycle was forcibly



taken away by the police, for which the petitioner has sent an intimation to the D.I.G. of Police by speed post (Annexure 2). He submits that the co-accused are in league with the police and therefore bike was lifted to implicate the petitioner. Under such circumstances he is in custody since 10.08.2020.

Learned APP for the State has opposed the prayer for bail. It is submitted that the petitioner's complicity in the occurrence cannot be doubted as 1.5 Kg. *Charas* along with motorcycle has been seized from the petitioner and there is antecedents also.

Considering the rival submissions, this Court, for the present, is not inclined to allow the petitioner's prayer for bail. The same is rejected.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

PNM

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

