

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8126 of 2021

Arising Out of PS. Case No.-438 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

VIKASH KUMAR @ SAKAL SON OF SHATRUGHAN SINGH
RESIDENT OF VILLAGE-SHERPUR PS-JANDAHA DISTRICT-
VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh

For the Opposite Party/s : Mr.Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Hajipur Town P.S. Case
No. 438 of 2020, registered for the offence punishable under
Section 414 of the Indian Penal Code and sections 25(1-b)a, 26
and 35 of the Arms Act and sections 20, 22, 23, 24, 27, 27(A)
and 29 of the NDPS Act.

As per the prosecution case, 500 gms of Charas has
been recovered from possession of the petitioner

It is submitted on behalf of the petitioner that nothing



has been recovered from possession of this petitioner. Mandatory provision of search and seizure has not been complied with. Petitioner is in custody since 07.07.2020. Chargesheet has already been submitted.

Learned APP however, vehemently opposed the prayer for bail and submitted that more than small quantity of Charas has been recovered from possession of this petitioner.

Considering the nature of allegation and since more than small quantity of Charas has been recovered and petitioner has criminal antecedent of similar offence, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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