

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6165 of 2022**

Arising Out of PS. Case No.-446 Year-2021 Thana- AHYAPUR District- Muzaffarpur

Ayush Singh Son Of Sri Ashok Kumar Singh R/O Village- Bhokta, P.S.-  
Suppi (O.P.), District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunil Prasad Singh  
For the Opposite Party/s : Mr.Md. Aslam Ansari

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

3      17-05-2022                      Heard both parties.

The petitioner seeks bail in Ahiyapur P.S. Case No. 446 of 2021, registered for the offence punishable under Sections 8/20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act and sections 25(1-b)a, 26 and 35 of the Arms Act

As per the prosecution case, one loaded country made pistol and One KG of Charas has been recovered from beneath the Banana Tree of the house of petitioner.

It is submitted on behalf of the petitioner that no incriminating article has been recovered from conscious possession of this petitioner. Recovery has been made from open place. Mandatory provision of search and seizure has not been followed and petitioner claims clean antecedent and he is



in custody since 09.08.2021.

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

Considering the quantity of recovery and the nature of allegation, 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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