

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40707 of 2021

Arising Out of PS. Case No.-170 Year-2021 Thana- KANTI District- Muzaffarpur

Sanjiv Kumar Son of Ajab Lal Sahni Resident of Village - Chhapra Manorath,
P.S.- Kanti, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh, Adv.

For the Opposite Party/s : Mr. A.G., APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

7 26-09-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Kanti P.S. Case No. 170 of 2021 lodged under Sections 399,
400, 402 of the I.P.C. and Section 25(1-b), 26, 35 of Arms Act
and Section 20, 22 of the Narcotic Drugs and Psychotropic
Substance Act.

As per the prosecution case, the recovery of 325 gm
of *charas* has been made from the possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has made no offence. It has been
submitted by the learned counsel that the petitioner's antecedent

is clean and 325 gm is the quantity is in between higher than the smaller quantity but lower than the commercial quantity. Learned counsel further submits that the one other co-accused from whose possession arms have been recovered, has been granted bail by the Co-ordinate Bench of this Court vide order dated 05.05.2022 passed in Cr. Misc. 65140 of 2021.

Learned counsel for the State opposes the prayer for bail.

Upon specific call whether charge has been framed or not, learned counsel submits that as per her knowledge the charge has not been framed till date.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail. Liberty is hereby granted to the petitioner that he can renew his prayer for bail after 3 months from the date of framing of charge or after 1 year from today, whichever is earlier.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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