

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30042 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- MUSAHARI District- Muzaffarpur

SONU KUMAR @ SUKHA @ SUKAHA SON OF LALA MAHTO R/O
VILLAGE- GAGANPUR, P.S.- MUSHAHARI, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1

For the Opposite Party/s : Mr.Binod Kumar no.3,APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in NDPS Case no.
60/2022 arising out of Mushahari P.S. Case no. 14/2022
registered for the offences punishable under sections 399, 402,
414 of the Indian Penal Code, sections 25(1-b)a, 26, 35 of the
Arms Act and 20, 22 of the NDPS Act.

Allegedly, police party in following with secret
information raided Rohua Math and apprehended five accused
including the petitioner and three accused persons managed to
escape and from the possession of this petitioner two live



cartridges were recovered and from the possession of co-accused person a loaded country made pistol and cartridge was recovered, one packet suspected to be **charas** was also recovered which is alleged to be of accused persons.

The main submissions advanced by Sri Ajay Kumar No. I, the learned counsel for the petitioner are that as per prosecution story only two cartridges are alleged to have been recovered from the possession of this petitioner, alleged narcotic material suspected to be charas was not recovered from conscious possession of this petitioner and has been languishing in jail since 21.1.2022 having clean antecedent.

Sri Binod Kumar no. 3, learned APP appearing for the State has opposed the prayer for bail.

Heard both sides, perused the FIR and seizure list attached to the FIR. As per prosecution story accused persons including the petitioner gathered at the place for preparing to commit offence and from their possession arms were recovered and the petitioner was arrested on the spot with two live cartridges and 1 kg narcotic material suspected to be charas was recovered from a motorcycle on which one co-accused was sitting.

Considering the nature of the allegation and mainly



taking into account quantity of alleged narcotic material having been recovered from the alleged place and the petitioner was found there, in my view, petitioner does not deserve privilege of bail and accordingly his prayer for bail stands rejected.

(Shailendra Singh, J)

s.hassan/-

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