

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36504 of 2022

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

=====

RUMI HASHAN @ MD. MUNNA @ MUNNA KHAN SON OF LATE
KAMRUL HASAN R/O VILLAGE- CHANDAN BAKHRI, P.S.-
AHIYAPUR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ravi Nandan, Advocate

For the Opposite Party/s : Mr.Mohammed Arif,APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office be
removed within four weeks.

The petitioner is in judicial custody in connection with
Mushahari P.S. Case No. 14 of 2022 for the offences under Sections
399, 402 and 414 of the Indian Penal Code and Section 25 (1-
b)a/26/35 Arms Act and 20/22 of N.D.P.S. Act.

As per the prosecution story, the informant got secret
information that some accused persons gathered near Rohua Math for
committing crime and thereafter the informant with police party
reached at the place of occurrence and on seeing the police, the
accused persons tried to escape but they were apprehended. On being
searched, arms and ammunition as well as 1 kg of ‘charas’ like



substance were recovered/seized from their possession.

Learned counsel for the petitioner submits that the recovery/seizure of 1kg. is of '*charas*', from a motorcycle on which altogether three persons including the petitioner herein were sitting. Further, from the waist of accused, Deepak Kumar @ Pradeep Kumar, the country made pistol was recovered/seized and as such, in view of the fact the motorcycle does not belong to the present petitioner, he deserves bail.

Mr. Bharat Bhushan, learned APP for the State, on the other hand, submits that the motorcycle's handle from which the has '*Charas*' has been recovered/seized is 1 K.G. which is the commercial quantity and the three persons including the petitioner herein, who were seated on the said motorcycle cannot escape responsibility for the said seizure.

Considering the aforesaid submission of the learned APP, this Court is not inclined to grant him privilege of bail to the petitioner which is accordingly rejected.

The Trial Court is directed to expedite the trial conclude the same preferably within a period of nine months.

(Rajiv Roy, J)

Jagdish/Neha-

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

