

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46462 of 2021

Arising Out of PS. Case No.-180 Year-2021 Thana- SITAMARHI District- Sitamarhi

Kanhaiya Thakur Son of Mr. Puran Thakur Resident of Village - Kapraul
Chainpura, P.S. - Riga, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
		Mr. Pravin Kumar
For the Opposite Party/s	:	Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sitamarhi P.S. Case No. 180 of 2021, registered for the offence under Sections 8/20(b) (ii)(c)/22 of the N.D.P.S. Act and later on, Section 27(A)/29 of the N.D.P.S. Act was added.

As per the F.I.R., one kg. charas was recovered from the possession of the petitioner.

It is submitted on behalf of petitioner that though, chargesheet has been submitted in this case, but without F.S.L. report, which was mandatorily required in case of recovery of contraband article and as such, it cannot be said that the alleged recovered substance is charas. Petitioner is in custody since 08.03.2021.



However, learned A.P.P. for the State opposed the bail petition and submitted that more than commercial quantity of charas has been recovered from the possession of petitioner and chargesheet has already been submitted within time. It is further submitted that petitioner has got criminal antecedent.

Considering the aforesaid facts and circumstances as well as quantity of alleged recovery, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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