

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.60379 of 2021**

Arising Out of PS. Case No.-261 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

ABHISHEK KUMAR S/o Bharat Kumar Sah Resident of Village- Harpur  
Lahauri, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Chandra Shekhar Anand  
For the Opposite Party/s : Mr.Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
ORAL ORDER

2      29-04-2022      Heard the parties.

Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two  
weeks of the complete start of the physical Court in normal  
course.

The petitioner seeks regular bail in connection with  
N.D.P.S. Case No. 35 of 2021, arising out of Ahiyapur P.S. Case  
No. 261 of 2021 for the offence punishable under Sections  
399/402/34 of the Indian Penal Code, Sections 25(1-b)a, 26 and  
35 of the Arms Act and Sections 20 and 22 of the N.D.P.S. Act.

Allegation is of recovery of 500 grams of charas  
along with arms from two accused persons including the  
petitioner who were apprehended on the basis of secret



information received by the raiding team.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has clean antecedent. Charas has not been recovered from his possession. Recovery which has been made from his possession is mobile phone and two live cartridges.

Considering the fact that total quantity of charas which has been recovered from the associate of the petitioner is more than the commercial quantity and has a high value in international market, I am not inclined to enlarge the petitioner on bail.

Accordingly, the present bail application is rejected.

**(Purnendu Singh, J)**

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