

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1226 of 2022

Arising Out of PS. Case No.-196 Year-2020 Thana- MAHUA District- Vaishali

SONU KUMAR @ GOSAIN BHAGAT S/o Late Devendra Bhagat Resident
of Village - Chakmajahid, P.S. - Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-03-2022 Heard learned counsel for the petitioner and the
State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 20 and other allied sections of the Narcotic Drugs and Psychotropic Substances Act, 1985 and sections 25(1-B)a, 26 and 35 of the Arms Act.

As per the prosecution case, 1160 grams Charas has been recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that no incriminating material was recovered from the conscious possession of the petitioner and till date the seized item has not been held to be Charas. Mandatory provisions with regard to search and seizure have not been followed. It is further



submitted that the petitioner is in custody since 14.4.2020.

Learned counsel appearing for the State opposes the prayer for bail and submits that more than commercial quantity of Charas has been recovered from the possession of the petitioner.

Considering the rival submissions of the parties, materials available on the record and the quantity of recovery of narcotic substance, prayer for bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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