

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39306 of 2023

Arising Out of PS. Case No.-405 Year-2022 Thana- KESARIA District- East Champaran

Sagar Soni S/o Binod Sah @ Vinod Sah R/o Village- Mohammadpur, PS.
Keshariya, Dist. East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-07-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Keshariya P.S. Case No.405 of 2022 / N.D.P.S. Case No.71 of
2022 dated 11.08.2022, lodged under Section 412 of the Indian
Penal Code read with Sections 20, 22, 24, 25, 29 of N.D.P.S. Act
and Sections 25(1-b)a, 26 & 35 of the Arms Act.

4. As per prosecution case, 1 Kg. *charas* and arms is
the subject matter of the present case. It has been alleged that
the petitioner is involved in loot of gold and silver.

5. Learned counsel for the petitioner submits that
nothing has been recovered from the possession of petitioner
rather the said recovery was made from the house of one Arun



Sahani. He further submits that the name of petitioner has figured in the confessional statement of Arun Sahani. He also submits that petitioner is in custody since 12.08.2022 and there is one criminal case pending against him in which he is persuading for bail. Learned counsel for the petitioner further submits that the Police has implicated the petitioner in two cases simultaneously.

6. Learned counsel for the State opposes the prayer for bail.

7. Upon specific query that whether charge has been framed or not, learned counsel for the petitioner submits that as per his knowledge, charge has not been framed in this case.

8. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner at present.

9. Liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

10. With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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