

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44816 of 2022

Arising Out of PS. Case No.-275 Year-2020 Thana- PIPRA District- East Champaran

Sumit Kumar @ Sumit Singh @ Raj Tilak @ Rajtilak Singh Son Of Ashok
Singh Resident Of Village- Tajiypur, Ps- Pipra, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 399, 402 of IPC,
Section 25 (1-b),a, 26, 35 of the Arms Act, Section 20,
22 of the N.D.P.S. Act.

It is a case of recovery of country made pistol
with three live cartridges and 1 kg Charas from the
conscious possession of the petitioner.

It is submitted by learned counsel for the
petitioner that petitioner has been falsely implicated in
this. Petitioner is in judicial custody since 11.08.2020.



Learned APP appearing on behalf of the State vehemently opposed the prayer of the petitioner and submitted that country made pistol, live cartridges and 1 kg of Charas also known as Hashish have been recovered from the conscious possession of the petitioner. The recovered contraband narcotics substance Charas comes within the perview of commercial quantity. It is also submitted that petitioner has criminal antecedents in 22 cases. F.S.L report and other witnesses have supported the prosecution version of the case during investigation. F.S.L report shows that charas also known as Hashish which is the resinous exacaudate of the flowering and fruiting tops of the female plant of cannabis sativa.

Having heard the learned counsel for the parties and considering the nature of allegation and fact that petitioner is habitual offender, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.



Learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

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