

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62803 of 2023

Arising Out of PS. Case No.-150 Year-2023 Thana- THAKURGANJ District- Kishanganj

1. ROHIT KUMAR SAHNI @ ROHIT SON OF NAND LAL SAHNI RESIDENT OF MAHULI PANCHAYAT AGAUTHARNANDA, POLICE STATION - ISUWAPUR, DISTRICT - CHHAPRA (SARAN) AT PRESENT RESIDENT OF BURIYAKHALI, CHHITALGHAT, BUDHARUGAON, P.S. - FANSIDUWA, DISTRICT - DARJEELING (WB)
2. RAAHIT SAHNI @ RAHIT SUHAHI SON OF DILIP SAHNI RESIDENT OF BURIYAKHALI, CHHITALGHAT, BUDHARUGAON, P.S. - FANSIDUWA, DISTRICT - DARJEELING (WB)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-12-2023

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Thakurganj P.S. Case no.150 of 2023 registered under sections 17(b), 18(b), 21(b) and 22(b) of the NDPS Act.

3. As per the prosecution case, the petitioners, who were on a motorcycle, were arrested. On search, it is stated that 43 grams of brown sugar was recovered under the seat of the vehicle.

4. Learned counsel for the petitioners submits that



the petitioners have been falsely implicated in the case. No incriminating article has been recovered from their possession or from the motorcycle, as alleged. It is further submitted that the alleged quantity recovered is much below the commercial quantity. The petitioners are in custody since 14.7.2023 and have no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioners in the F.I.R. according to which 43 gms. of brown sugar was recovered from the motorcycle being driven by the petitioner no.1, the vehicle being owned by father of petitioner no.2 and both the petitioners having been caught on the spot, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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