

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13609 of 2024

Arising Out of PS. Case No.-373 Year-2023 Thana- CHIRAIYA District- East Champaran

Pritam Paswan Son of Ashcharan Paswan Resident of Bada Baudha, Ward No. 11, Dakshini Sugaon, P.S.- Sugauli, District- East Champaran, Bihar- 845456

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Fakhruddin Ali Ahmad, Adv.

Mr. Neeraj Kumar, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 24-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Chiraiya P.S. Case No. 373 of 2023, lodged on 05.08.2023 under Sections 399, 400, 402, 414 of the Indian Penal Code read with section 25(1-b)a,26,35 of the Arms Act and sections 8, 20(b)(ii)(c) of the N.D.P.S. Act.

3. As per the prosecution case, the FIR has been lodged against 9 named accused persons including the present petitioner. Total 1.40 kg of *charas* has been recovered from the possession of the petitioner which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



also submits that the criminal antecedent of the petitioner is clean and he is in custody since 06.08.2023. Counsel further submits that the petitioner is a student aged about 22 years and his entire career is at stake and the police has unnecessarily filed this criminal case against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that as per the allegations made in the FIR and seizure list, recovery of 1.40 kg of *charas* has been made from the petitioner's possession which is above the commercial quantity. Counsel further submits that FSL report has been called for in which it has come that the recovered material is *charas*.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Chiraiya P.S. Case No. 373 of 2023, pending before the learned Sessions Judge/Special Judge, East Champaran, Motihari is **hereby rejected**.

(Dr. Anshuman, J.)

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