

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19189 of 2024

Arising Out of PS. Case No.-483 Year-2023 Thana- SUGAULI District- East Champaran

VIKESH KUMAR SON OF NAND KISHORE YADAV @ NANDKISHOR
YADAV RESIDENT OF VILLAGE - WARD NO.7, RAYPATTI
BHATAHAN, P.S. - SUGAULI, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwajeet Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

6 02-08-2024

1. Heard the parties.

2. Petitioner seeks regular bail in connection with Sugauli P.S. Case No.483 of 2023 dated 08.11.2023 registered for the offence(s) punishable under Section(s) 399, 402, 414 of the Indian Penal Code, section(s) 25(1-b)a, 26, 35 of Arms Act and section(s) 8/20(b) (ii) (C), 25 and 29 of N.D.P.S. Act.

3. Mr. Vishwajeet Kumar Mishra, learned counsel for the petitioner submits that petitioner is a 21 year old boy and he has been languishing in jail since 09.11.2023 and he has falsely been roped in the alleged recovery of contraband. In fact, the main accused had taken lift from the petitioner who was carrying a bag containing the contraband and on seeing the police party he fled away leaving the bag with the petitioner



subsequently the petitioner was apprehended by the police. In actual, the petitioner had no role in keeping or carrying the contraband and he bonafidely gave lift to the said accused.

4. Mr. S. Azeem, learned APP appearing for the State opposes the bail prayer of the petitioner.

5. Having considered the seriousness of the allegation appearing against the petitioner from the F.I.R. which relates to the recovery of commercial quantity of narcotic material named as *Charas* from the possession of the petitioner and also taking into account the criminal antecedent of two cases against this petitioner and also, the fact, that altogether four persons including the petitioner were apprehended on the spot and from their possession loaded pistol, cartridges, narcotic contraband etc. were recovered and as per prosecution, they assembled to make preparation to commit the offence of loot, in my opinion, the petitioner does not deserve to the privilege of bail. Accordingly, his prayer stands rejected.

(Shailendra Singh, J)

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