

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20316 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- MIRGANJ District- Gopalganj

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MOHIT KUMAR SON OF MANJIT RAM RESIDENT OF VILLAGE -
MADHOMATIHANI, P.S. - MIRGANJ, DISTRICT - GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Harendra Prasad, Advocate
		Mr. Adesh Raj, Advocate
For the Opposite Party/s :		Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Mirganj P.S. Case no.303 of 2023, registered under sections 399, 402 and 414 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and section 20(b)(ii)(C), 25 and 29 of the NDPS Act.

3. As per the prosecution case, the informant states that on receiving secret information a raid was conducted. Six accused persons on two motorcycles made an attempt to escape but were caught. While two cartridges were recovered from the possession of the petitioner, so far as the other accused persons are concerned, a loaded country made *katta* and 400 grams of *charas* was recovered.



4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner’s possession who has been falsely implicated in the case. He is in custody since 8.8.2023 and the cause of false implication is his antecedent.

5. The application for bail is opposed by learned APP for the State who submits that 400 grams of *charas* has been recovered from the possession of the co-accused who was there with the petitioner.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, according to which 400 grams of *charas* was recovered from the possession of the co-accused who were on two motorcycles and the petitioner having been arrested at the spot, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after completing one year in custody.

(Partha Sarthy, J)

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