

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40236 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- CHAKIA District- East Champaran

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Satendra Kumar @ Satyendra Kumar S/o Shambhu Sahni R/o vill - Bada Baisaha, P.S. - Chakia, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 28-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Chakiya P.S. Case No. 43 of 2024 lodged on 10.02.2024 under Section 467, 468, 38 of the Indian Penal Code, under Section 8/20b(ii)C, 23, 25 of the NDPS, Act and under Sections 30(a), 30(d), 34(d), 41(1), 42(2) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, F.I.R. has been lodged against three named accused persons including the present petitioner with an allegation that there is recovery of one Kg of *Charas*, 45 litre of foreign made liquor and 5 litres of country



made liquor from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the recovery has not been made from the possession of the petitioner rather it has been made from the co-accused namely Suresh Sahni. Counsel further submits that the criminal antecedent of the petitioner is clean and he is in custody since 11.02.2024. He further submits that one of the co-accused has been granted bail by this Hon'ble Court vide order dated 26.07.2024 passed in Cr. Misc. No. 36620 of 2024.

5. Learned APP for the State opposes the prayer for bail and submits that case diary has been called for. Upon perusal of the case diary, report of F.S.L. has come and it indicates that one kg of Charas which is the commercial quantity has been recovered from the accused persons.

6. Upon specific query made by learned counsel for the petitioner about the present stage of trial, counsel for the petitioner submits that he has no knowledge about this fact.

7. In the present facts and circumstances of this case, this Court is not inclined to enlarge the petitioner on bail and his bail application is hereby rejected. However, petitioner is at liberty that he may renew his prayer for bail three months after



framing of charge.

(Dr. Anshuman, J)

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