

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39359 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- HARSIDHI District- East Champaran

Firoj Sahani Son of Deyali Sahani Resident of Village- Panapur Tadhawa
Tola, P.S-Harsidhi, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 06-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Harsidhi P.S. Case No. 19 of 2024 registered for the offences
punishable under Sections 30(a), 32(2) and 41(1) of the Bihar
Excise Act read with Sections 8, 20b(ii)(C), 25 and 29 of the
NDPS Act.

3. The learned counsel for the petitioner submits that
allegation is of recovery of 1.538 kg of *charas* from the
possession of Kanhai Sahani along with liquor.

4. It is next submitted that petitioner was not
apprehended from the spot, as such, nothing was recovered from
his conscious possession, but then his name transpired in the
confessional statement of Kanhai Sahani from whose possession
charas was recovered. It is also submitted that petitioner is in
custody since 31.03.2024.



5. The learned APP for the State, Mr. Chandra Bhushan Prasad, submits that petitioner may not have been apprehended from the place of occurrence, but then his name transpired in the confessional statement of co-accused from whose possession narcotics was recovered. It is further submitted that from pleadings made in the regular bail application, it is not clear whether charges have been framed against the petitioner or not. It is also submitted that in the event if privilege of regular bail is granted to the petitioner, the petitioner may abscond.

6. The learned counsel for the petitioner submits that charges against the petitioner, till date, have not been framed.

7. Considering the submission made by the learned APP, the Court is not inclined to release the petitioner on bail.

8. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

9. **Accordingly, the instant regular bail application stands rejected.**

(Satyavrat Verma, J)

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