

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46466 of 2024

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

Ravi Sah @ Rabi Sah S/O Anawat Sah R/O Village-Chhap,P.S.-Mirganj,
Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Niraj Kumar, Advocate Ms. Saloni Sinha, Advocate Mr.Nalin Kumar, Advocate
For the Opposite Party/s :		Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 25-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S.Tr. no. 21 of 2024 arising out of 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 sections 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. From the possession of the petitioner, a loaded country made *katta* and 200 grams of *charas* was recovered.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. He is in custody since 8.8.2023. It is further submitted that the application for bail of co-accused Mohit Kumar though has been rejected vide order dated 2.4.2024 passed in Cr. Misc. no. 20316 of 2024, however liberty has been granted to him to renew his prayer for bail after completing one year in custody.

5. The application for bail is opposed by learned APP for the State.

6. On perusal of the record it transpires that the petitioner had made a statement in paragraph no. 3 of the petition stating about him having only one criminal antecedent. On a report being called for from the Superintendent of Police, Gopalganj vide order dated 16.7.2024 with respect to the antecedent of the petitioner and the same having been received vide letter dated 6.9.2024 that subsequently a supplementary affidavit was filed on behalf of the petitioner on 19.9.2024 about his other two antecedents. In addition to the above, the report of the forensic science laboratory dated 1.8.2024 confirms the recovery of *charas*.

7. So far as the allegation against co-accused Mohit



Kumar is concerned, neither there is any suppression of antecedent by him nor was the alleged recovery of the drugs recovered from his possession.

8. Having heard learned counsel for the parties and taking into consideration the allegation of recovery of 200 grams *charas* from the possession of the petitioner, the contents thereof having been confirmed in the F.S.L report together with the suppression of antecedent by the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

Harsh/-

U		T	
---	--	---	--

