

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51097 of 2024

Arising Out of PS. Case No.-208 Year-2022 Thana- SUGAULI District- East Champaran

Umesh Sah Son of Ishwar Prasad @ Ishwar Sah @ Ishwari Resident of Vill-
Raxaul, Mauje, Ward No. 14, P.S.- Raxaul, District- East Champaran,
Motihari

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sugauli P.S. Case No.208 of 2022 lodged under Sections 25(1-
B)a, 26, 35 of the Arms Act read with sections 8/20(b)(ii)(c) of
the N.D.P.S. Act. read with section 51 of the Wild Protection
Act.

3. As per the prosecution case, the F.I.R. has been
lodged against two named accused persons including the
petitioner against whom there is allegation that total 9.6 Kg
charas and two small pieces of horns of deer were recovered,
which is subject matter of the present case.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that only 5 kg of *charas* have been recovered from petitioner's possession.

5. Counsel for the petitioner submits that petitioner is in custody since 03.05.2022 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail and submits that the said *charas* is N.D.P.S. material and the recovery is more than the commercial quantity.

7. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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