

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76562 of 2023

Arising Out of PS. Case No.-524 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

=====

MANOJ KUMAR SAH SON OF YOGENDRA SAH RESIDENT OF
VILLAGE - SIMROLGADH, P.S. - SIMROLGADH, DISTRICT - BARA
(NEPAL)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ujjwal Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Motihari Muffasil (Lakhaura) P.S. Case no.524 of 2023 registered under sections 8 and 20(b)(ii)(c) of the NDPS Act.

3. As per the prosecution case, the informant states that on search 3.5 kgs of *charas* and 36.2 kgs of *ganja* was recovered from the two vehicles and two accused persons were taken into custody. From the third vehicle 8 kgs of *charas* was recovered and three accused persons including the two petitioners herein were taken into custody.

4. It is submitted by learned counsel for the petitioner that the petitioner has no concern either with the



vehicle in question or the seized article. He was merely a passenger who had taken lift in the vehicle in question. He has no criminal antecedent and is in custody since 29.7.2023.

5. The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner was arrested from the vehicle from which 8 kgs of *charas* was recovered. It is further submitted that as per FSL report, the seized article has been found to be *charas*.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R. according to which 8 kgs of *charas* was recovered from the vehicle in which the petitioner was present and was taken into custody on the spot, the same being a commercial quantity and the seized article also having been confirmed to be *charas* in the FSL report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

Bibhash/-

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

