

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4342 of 2025

Arising Out of PS. Case No.-119 Year-2023 Thana- SUGAULI District- East Champaran

Raju Sahani Son of Dhuruv Sahani Resident of village - Tikuliya ps - pipra ,
District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 18-04-2025 Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sugauli P.S Case no.119 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 8, 20 (b)(ii)(C) of the NDPS Act.

3. As per the prosecution case, on the police reaching the place of occurrence, it is submitted that the accused persons attempted to escape but the petitioner was caught and on search 1.242 kg of *charas* was recovered from his possession.

4. It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 20.2.2024 (Annexure-1) passed in Cr. Misc. no.



8633 of 2024 directing the trial Court to expedite the trial. In spite of the petitioner having remained in custody for more than 2 years since 31.3.2023 and cooperating in the trial, there is no progress whatsoever in the trial. The petitioner undertakes to cooperate in the trial and to abide by any conditions which may be laid by this Court for his release on bail.

5. The application for bail is opposed by learned APP for the State who submits that besides the recovery of 1.242 kg of *charas* from the possession of the petitioner which is a commercial quantity, the petitioner was caught at the place of occurrence and has as many as thirteen antecedents.

6. A report was called for from the learned trial Court. As per report received contained in letter dated 24.2.2025, the case is pending for appearance of two accused namely Sandeep Kumar and Rahul Kumar whose bail bonds have been cancelled on 22.4.2024, non-bailable warrant of arrest and processes under section 82 of Cr.P.C. have been issued against them.

7. Having heard learned counsel for the parties and taking into consideration the allegations of recovery of 1.242 kg (commercial quantity) of *charas* from the possession of the petitioner, the Court is not inclined to enlarge the petitioner on



bail and the application is rejected.

8. The learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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