

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51918 of 2024

Arising Out of PS. Case No.-472 Year-2023 Thana- RAMGARHWA District- East
Champaran

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Lal Babu Thakur @ Lalbabu Thakur Son Of Shree Lal Thakur @ Srilal
Thakur Village- Suryanha, Ps- Pokhariya, Dist- Parsa , Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 14-02-2025 Heard Mr. Shashank Shekhar, learned counsel for the

petitioner and Mr. Zainul Abedin learned APP.

2. The petitioner is in custody in connection with
Ramgarhwa P.S. Case No. 472 of 2023 registered for the offence
under Sections 17(c), 18(B), 21(c), 22(c) and 23(c) of the
Narcotic Drugs and Psychotropic Substance Act, lodged on
23.12.2023 by the informant Md. Aslam Ansari.

3. As per the prosecution story, the informant alleged
that during the vehicle check operation, Yamaha Motorcycle
was intercepted upon search 7.46 kg of *Charas* was recovered
beside Indian and Nepali currency. This led to the FIR.

4. It is case of the petitioner that he has taken lift from
the co-accused having little knowledge about the presence of



Charas in it and further perusing the F.S.L. report it cannot be said that the recovered/seized material is *Charas*.

5. Taking into account the aforesaid facts, the F.S.L report which was long pending was called for failing which the Director was required to be present in the Court.

6. Pursuant to the said order, the report has come and it has found to be *Charas*.

7. In that background, and considering the quantity that has been recovered/seized, the petitioner is not entitled to bail.

8. Accordingly, the bail application stands rejected.

(Rajiv Roy, J)

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