

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31571 of 2018**

Arising Out of PS.Case No. -174 Year- 2018 Thana -PATRAKARNAGAR District- PATNA

=====

1. Sushil Kumar S/o Rajendra Rai resident of village Jalalpur, P.S. Rupaspur, District - Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

=====

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      30-05-2018                      Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Patrakarnagar PS case no. 174 of 2018 instituted for the offences punishable under Sections 290, 420, 120B of Indian Penal Code and sections 20, 22, 24, 27, 27(A) of NDPS Act.

The allegation is regarding recovery of 10 gms. of brown sugar from the possession of the petitioner apart from recovery of various quantities of the said substance from other co-accused persons.

The learned counsel for the petitioner submits that the petitioner is having a clean antecedent and he is a young aspirant. It is further submitted that as per the Schedule to the N.D.P.S. Act, 1985, the said quantity recovered from the petitioner



is not a commercial quantity. The petitioner is said to be languishing in custody since 04.04.2018.

*Per contra*, the learned APP for the State has made his submissions and it has not been denied that the quantity of brown sugar seized from the petitioner is not a commercial quantity as per the N.D.P.S. Act, 1985.

Having regard to the facts and circumstances of the case, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge-Special Judge, Patna in connection with Patrakarnagar PS case no. 174 of 2018.

**(Mohit Kumar Shah, J)**

rinkee/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

