

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12553 of 2021

Arising Out of PS. Case No.-383 Year-2020 Thana- PHULWARISHARIF District- Patna

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MD. LALBABU Son of Md. Sohail Resident of Gulistan Mohalla, P.S.-
Phulwarisharif, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 07-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 20 and 22 of the N.D.P.S. Act.

As per the prosecution case, a total of 20 gm of brown sugar was seized from the four named accused persons including the petitioner herein.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the person or possession of the petitioner who has been falsely implicated in the case. It is submitted that from perusal of the F.I.R. itself, it would transpire that the alleged recovery is of 2 gms/2 purias and thus the same would come under small quantity and the



petitioner herein has remained in custody for a period much more than for which he can be sentenced. The petitioner is in custody since 16.7.2020 and has no criminal antecedent. No independent witness has supported the case against the petitioner.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. together with the recovery of a total quantity of 20 gm of brown sugar from the four accused including the petitioner herein, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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