

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22065 of 2021**

Arising Out of PS. Case No.-46 Year-2020 Thana- KANKARBAG District- Patna

Shubham Kumar @ Vikky S/O Ranjeet Singh R/o Mohalla- Ashok Nagar,
Road No. 8A, P.S.- Kankarbagh, Town and District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Smt. Sharda Kumari A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 16-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kankarbagh P.S. Case No. 46 of 2020, Special Case No. 15 of 2020, registered for the offence under Sections 323, 341, 504 of the I.P.C. and Section 20/22 of the N.D.P.S. Act.

As per prosecution case, the son of the informant, who is petitioner in this case, demanded for Rs. 4,000/- cash from the informant and on refusal, the petitioner started abusing him and thereafter, assaulted informant, wife of the informant and daughter of the informant and when they caught the petitioner, on search, 29 *pudiya* (weighing about 17 gm.) of brown sugar has been recovered from the possession of the petitioner.



It is submitted on behalf of petitioner that the present case has been lodged at the instance of nearby neighbours. The alleged recovered *brown sugar* is less than commercial quantity and as such, rigors of Section 37 of the N.D.P.S. Act would not be attracted. There is no allegation against the petitioner of tampering with the evidence. Petitioner is in custody since 15.01.2020. Investigation is complete.

However, learned A.P.P. for the State has opposed the bail petition.

Considering the recovered quantity of *brown sugar*, I am not inclined to grant bail to the petitioner.

However, once charge has been framed and trial is commenced, the petitioner shall be released on bail by the learned trial court on its own satisfaction and on the condition that he will cooperate in disposal of trial and appear before the trial court, as and when required.

With above observation, the bail petition stands disposed of.

(Prabhat Kumar Singh, J.)

anay

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

