

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22072 of 2021

Arising Out of PS. Case No.-443 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

Arjun Kumar Ram Son of Surendra Ram Resident of Village - Kashi
Chhapra, P.S.- Baruraj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan 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 NDPS Case No. 66 of
2020, arising out of Muzaffarpur Sadar P.S. Case No. 443 of
2020, registered for the offence under Section 20/22 of the
N.D.P.S. Act.

As per prosecution case, 200 gm of *Charas* has been
recovered from the possession of the petitioner.

It is submitted on behalf of petitioner that nothing has
been recovered from the possession of the petitioner and
petitioner has been made accused only on suspicion. The alleged
quantity of recovered *Charas* is less than commercial quantity
and as such, rigors of Section 37 of the N.D.P.S. Act would not
be attracted. It is further submitted that mandatory provision



with regard to search and seizure has not been followed. Petitioner is in custody since 30.09.2020. Investigation is complete.

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

Considering the rival submissions of the parties and the recovered quantity of *Charas*, 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.)

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