

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28668 of 2021

Arising Out of PS. Case No.-182 Year-2019 Thana- ADAPUR District- East Champaran

Imteyaz Alam S/O Moinuddin Alam @ Moinuddin Mia R/O Ward No. 13,
P.O And P.S Kalaiya, Village Kalaiya Balrampur, District-Bara (NEPAL)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Asif Kalim

For the Opposite Party/s : Mr.Bal Mukund Pd. Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-08-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Adapur P.S. Case No. 182
of 2019 corresponding to NDPS Case No. 55 of 2019, registered
for the offence punishable under Sections 18(c) and 21(c) of the
NDPS Act.

As per the prosecution case, on secret information
raid was conducted and this petitioner along with co-accused
Alam were apprehended and from their possession 520 gm of
morpheme kept in two plastic packets were recovered.

It is submitted on behalf of the petitioner that nothing



has been recovered from conscious possession of the petitioner. It is further submitted that both recovered plastic containing 520 gms of morpheme collectively comes to commercial quantity, but since both packets could not be separately weighed, as such it could not be attributed any exact quantity recovered from the petitioner. Petitioner is in custody since 27.07.2019 having no criminal antecedent. Chargesheet has already been submitted.

Learned APP however, vehemently opposed the prayer for bail and submitted that more than commercial quantity of morpheme has been recovered from possession of petitioner.

Considering the facts aforesaid and the quantity of recovery, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

However, petitioner is in custody since 27.07.2019 trial court is directed to conclude the trial as early as possible.

(Prabhat Kumar Singh, J)

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