

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37525 of 2020

Arising Out of PS. Case No.-118 Year-2020 Thana- GAIGHAT District- Muzaffarpur

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SUMAN KUMAR @ PAKORI S/O SURESH RAY RESIDENT OF
VILLAGE - BASAULI, P.S. - KUDHANI, DISTRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Ram Chandra Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 16-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Gaighat P.S. Case no. 118 of 2020 registered under sections 414 and 34 of the Indian Penal Code and sections 20 and 22 of the N.D.P.S. Act.

As per allegation in the first information report, the petitioner and one other accused were caught and searched by the police personnel. It is stated that 250 grams of opium was recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that no recovery as alleged has taken place from the person or possession of the petitioner. The seizure list has not been properly drawn up. The petitioner has no other criminal case



from before under the N.D.P.S. Act and the alleged quantity recovered is below the commercial quantity. The petitioner is in custody since 13.05.2020 and investigation in the case has concluded.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration that 250 grams opium was recovered from the possession of the petitioner, the Court is not inclined to enlarge the petitioner on bail and the same is rejected.

The learned court below is directed to expedite the trial.

(Partha Sarthy, J)

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