

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6187 of 2022**

Arising Out of PS. Case No.-245 Year-2021 Thana- AIRPORT District- Patna

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BRAJESH KUMAR S/O SHIV KUMAR CHAURASIYA R/O VILLAGE-  
MADUD, P.S.- KHUDAGANJ, DIST.- NALANDA, AT/P VILL.-  
MADHUPUR, P.S.- NEORA, DIST.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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

2      05-04-2022

Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the  
offence under Sections 8(C)/20(a)/29 of the N.D.P.S. Act.

As per prosecution case, 6 gm. of Heroin has been  
recovered from the possession of the petitioner.

It is submitted on behalf of petitioner that the alleged  
recovered Heroin is less than commercial quantity. Mandatory  
provision with regard to search and seizure has not been  
followed. Petitioner is in custody since 04.10.2021.

However, learned A.P.P. for the State has opposed the  
bail petition and submitted that in this case, more than small  
quantity of Heroin has been recovered from the possession of  
petitioner.



Considering the rival submissions of the parties and the recovery of alleged *Heroin*, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

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

**(Prabhat Kumar Singh, J)**

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