

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6347 of 2022

Arising Out of PS. Case No.-203 Year-2021 Thana- PATNA CITY CHOWK District- Patna

Sonu Kumar Sharma @ Dillu Sharma, Son of Ashok Sharma @ Ashok Kumar Sharma Resident of Bhadra Ghat, Police Station - Alamganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 07-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), if any, as pointed out by the
office, be removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Special (NDPS) case No. 70 of 2021 (arising
out of Chowk P.S. Case No. 203 of 2021) registered for the
alleged offences under Sections 20(b)(ii)(B) of the N.D.P.S. Act.

As per prosecution case, police received secret
information about the petitioner stated to be an absconder from
jail being seen at an identified place. He was apprehended and
from his possession apart from cash of Rs. 10,500/- and mobile
phone, 1.450 Kg of *ganja* was recovered from polythene being

carried out by this petitioner.

Learned counsel for the petitioner submits that petitioner has been framed in this case after he was apprehended in connection with Chowk P.S. Case No. 327 of 2020. There is complete non-compliance of Section 50 of the N.D.P.S. Act. No F.S.L. report has been obtained prior to submission of charge sheet. Learned counsel further submits that charge sheet has been submitted in this case and the petitioner is in custody since 17.07.2021.

Learned A.P.P for the State vehemently opposes the prayer for bail of the petitioner. Learned A.P.P. further submits that the petitioner is accused in altogether 20 cases of different nature and most of them are serious in nature. Learned A.P.P. further submits that petitioner fled away from the prison while he was in custody in connection with Chowk P.S. Case No. 327 of 2020 registered for the offences under Sections 302, 120(B) and 34 of the Indian Penal Code and under Section 27 of the Arms Act. The petitioner is having criminal antecedent of earlier offences under the provisions of N.D.P.S. Act.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the recovery made from the petitioner and also considering the

background and criminal antecedent of the petitioner, I do not think it is a fit case for grant of bail at this stage and hence, his prayer for grant of bail is rejected.

However, learned trial court is directed to expedite the trial and conclude the same within nine months.

(Arun Kumar Jha, J)

Gautam/daya

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