

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18349 of 2022**

Arising Out of PS. Case No.-401 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

VIKKI KUMAR DWIVEDI Son of Upendra Nath Dwivedi Resident of Village - Datapur, P.S.- Saraiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Parasmani

For the Opposite Party/s : Mr.Prem Kumar Jha

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

2 26-05-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Section 20/22 of the N.D.P.S. Act.

As per the prosecution case, 98 gm. of smack has been recovered and this petitioner was arrested on the spot.

It is submitted by learned counsel for the petitioner that nothing has been recovered from the conscious possession of this petitioner and alleged recovery is less than commercial quantity. Petitioner is in custody since 22.06.2021.

Learned APP for the State opposed the prayer of bail application and submits that more than small quantity of smack was recovered.

Considering the quantity of recovery, I am not inclined to grant bail to the petitioner and same is, accordingly,



rejected.

However, the learned court below, where the case is pending, is directed to release the petitioner on bail, after framing of charge.

(Prabhat Kumar Singh, J)

Ranjeet/-

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