

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42329 of 2021**

Arising Out of PS. Case No.-74 Year-2021 Thana- ADAPUR District- East Champaran

SHEIKH KARMULLAH S/O LATE SHEIKH AKBAR MIYAN R/O
VILLAGE-SIRISIYA, P.S. NAKARDEHI, DISTRICT-EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

4 18-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
N.D.P.S. Case No. 28/2021, arising out of Adapur P.S. Case No.
74/2021, for the offence punishable under Sections 8(c)/ 21(c) /
25 of the N.D.P.S. Act.

Allegation is of recovery of 1 Kg. of morphine from
the possession of the petitioner. The said fact is confirmed by
the report submitted by Regional Forensic Science Laboratory,
Muzaffarpur. It confirms that the morphine was detected in the
content of polythene packet which is highly potent opiate
analgesic psychoactive drug found in opium.



Mr. Krishna Kant Singh, learned counsel for the petitioner submits that the raiding team has not determined the manner in which the weight of psychotropic substance has been taken and as such, search is against the provision of Section 15 of the N.D.P.S. Act.

Taking into consideration the fact that the amount of morphine recovered from the possession of the petitioner is more than the commercial quantity and the said fact has been reported by the Director, Regional Forensic Science Laboratory, Muzaffarpur that they have scientifically determined the substance packed in a polythene which is highly potent opiate analgesic psychoactive drug found in opium recovered from the possession of the petitioner, I am not inclined to enlarge the petitioner on bail.

Accordingly, the present bail application is rejected.

(Purnendu Singh, J)

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