

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44703 of 2022**

Arising Out of PS. Case No.-675 Year-2021 Thana- DIGHA District- Patna

=====

Pankaj Chaudhary Son of Sri Sita Ram Chaudhary R/O Village- Gate No.-93,  
P.S.- Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      02-12-2022                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned counsel appearing on behalf of the State  
  
through virtual Court proceedings.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Digha  
P.S. Case No. 675 of 2021 registered for the offence under  
Sections 8(c), 20 and 22 of the N.D.P.S. Act.

The accused/petitioner is named in the F.I.R. and is in  
custody since 28.04.2022.

The allegation against the petitioner is to have in  
possession of total 08 grams of brown sugar, alongwith other  
co-accused persons, where allegation against this petitioner is to  
supply alleged narcotics/contraband to other co-accused



persons.

Learned counsel appearing on behalf of the petitioner submitted that apparently from the seizure list, there is no recovery of narcotics/contraband i.e. **brown sugar** from the physical possession of this petitioner. It is submitted that similarly situated co-accused persons have already been granted bail by learned Trial Court itself, whereas the prayer of bail of this petitioner has been rejected for only reason that he involved in 3 other cases also. It is submitted that petitioner surrendered on his own in Special Case No. 132 of 2020 from where he was remanded in Special Case No. 233 of 2021, where he is on bail in both cases. It is submitted that nothing surfaced during the course of investigation, which may connect this petitioner with allegation as to supply narcotics/contraband to co-accused persons, as alleged through F.I.R. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail submitted that recovered amount of narcotics/contraband i.e., **brown sugar** is 08 grams, which is above than small quantity.

Considering the facts and circumstances as mentioned



above, as recovered amount of narcotics/contraband i.e., ***brown sugar*** is less than commercial quantity from co-accused persons, where allegation against this petitioner is only to supply contraband to co-accused persons coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Digha P.S. Case No. 675 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court of learned Additional Sessions Judge-XVIII, Patna/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

pooja/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

