

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55311 of 2021

Arising Out of PS. Case No.-245 Year-2021 Thana- AHYAPUR District- Muzaffarpur

SUNIL KUMAR @ SUNIL KUMAR SINGH Son of Late Ramanand Singh
Resident of Village - Khanpur @ Baidhnathpur, P.S.- Ahiyapur, Dist.-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State through
video conferencing.

Petitioner seeks regular bail in connection with
Ahiyapur P.S. Case No. 245/2021 (NDPS Case No. 33/2021)
registered for the offences punishable under Sections 392, 402,
414, 411/34 of the Indian Penal Code, Sections 25(1-b)a, 26, 35
of the Arms Act and Sections 20 and 22 of the N.D.P.S. Act.

The allegation, as per the First Information Report, is
that a total quantity of 1 Kg. *Charas* wrapped in a plastic
polythene has been recovered from possession of the petitioner.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent and he has falsely been



implicated in this case along with other co-accused persons. The petitioner is in custody since 4.4.2021.

Having heard learned counsel for the parties and taking into consideration the fact that 1 Kg. *Charas* wrapped in a polythene has been recovered from possession of the petitioner which is the commercial quantity, accordingly, in view of the provisions enshrined in Section 37 of the NDPS Act, I am not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner stands rejected.

(Anil Kumar Sinha, J)

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