

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48096 of 2022

Arising Out of PS. Case No.-138 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

Prashant Vats Son of Sri Prafull chandra Rahi Resident of Mohalla- Rashik
Chandra Banarjee Road, Adapur, P.S. Kotwali (Jogshar), District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.
For the Opposite Party/s : Mr. Kalyan Shankar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-12-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Kotwali (Jogsar) P.S. Case No. 138 of 2022 and N.D.P.S. Case
No. 27/22 lodged under Sections 21(b), 22 of the N.D.P.S. Act.

As per the prosecution case, total recovery of 3.25 gm
of Brown Sugar has alleged to be made from the possession of
the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is in custody since 15.02.2022 having 3

criminal cases pending against him and all 3 cases belong to N.D.P.S. Act. Charge-sheet has already been filed in this case. Learned counsel for the petitioner submits that the alleged recovery is less than the small quantity. Upon specific query whether charge has been framed or not, learned counsel for the petitioner submits that as per his knowledge charge has been not framed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, his bail application is hereby **rejected**.

Liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

Trial Court is directed to release the petitioner on bail, after imposing its own conditions so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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