

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61944 of 2021

Arising Out of PS. Case No.-151 Year-2020 Thana- JAKKANPUR District- Patna

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Sudama Kumar S/o Prem Shankar Ram R/o Mohalla- Bhelwara, P.S.-
Gopalpur, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Dubey, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 14-11-2022 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.

The petitioner seeks regular bail in connection with
Jakkanpur P.S. Case No. 151 of 2020 lodged under Sections 8C/
21(C) /25/29 of the N.D.P.S Act.

As per the prosecution case, the total 2.111 kg of
Brown Sugar has been recovered from the room of the
petitioner.

Learned counsel for the petitioner submits that
petitioner has been made scapegoat. He submits that actually the
house owner's son is involved in this business and it is the
house owner's son who has kept the entire material in the room

of the petitioner. He further submits that petitioner is in custody since 36 months.

Learned counsel for the State opposes the prayer for bail and submits that the recovery has been made from the possession of the petitioner. The limit for Brown Sugar is 250 gm that is upper limit of the commercial quantity. Learned counsel submits that the recovered N.D.P.S material is Brown Sugar and more than the commercial quantity.

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, the bail application of the petitioner is hereby rejected.

The trial court is directed to expedite the trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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