

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 13540 of 2023

Arising Out of PS. Case No.-288 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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Nitish Kumar @ Amrit Raj Son Of Shaligram Prasad Yadav @ Shaligram
Khirhari R/O Village- Bhudharni, P.S.- Haweli Kharagpur (SHYAMPUR
O.P.), District- Munger

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 120B, 414 of the Indian Penal Code and Sections 8(c), 21(c), 25, 35 of the NDPS Act and Sections 25(1-b)a, 26, 35 of the Arms Act.

As per FIR, the petitioner was apprehended on the spot and from his bag 765 gram smack like substance was recovered and several articles were also recovered from co-accused persons.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 04.12.2021.

Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that the recovery of smack from the bag of the petitioner is alleged to be 765 gram, which is much more than commercial quantity as per N.D.P.S. Act. The petitioner was also apprehended on the spot with smack like substance.

Having heard the learned counsel for the parties and considering the fact and gravity of the offence, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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