

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50647 of 2023

Arising Out of PS. Case No.-497 Year-2023 Thana- GAYA MUFASIL District- Gaya

VIVEK KUMAR S/O SHIV BACHAN PRAJAPATI @ SHIV BACHAN
PRAJAPAT R/O VILLAGE- RUPASPUR, PS. BUNIYAD GANJ, DIST.
GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 8(c), 21(c) of the
N.D.P.S. Act.

3. It is case of recovery of 1 Kg of Brown sugar like
substance from the possession of the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner never dealt
any sorts of business of brown sugar and moreover, from the bare
perusal of the FIR, it transpires that the informant has not given
any value of recovered articles. Petitioner has got no criminal
antecedent as stated in para-3 of the bail petition. Petitioner is



languishing in judicial custody since 05.06.2023.

5. Learned APP for the State has opposed the application for bail and submitted that petitioner is named in the FIR. He further submitted that the seized Brown Sugar like substance, which has been recovered from the possession of the petitioner comes within the purview of commercial quantity as per N.D.P.S. Act. During investigation several witnesses have also supported the prosecution case.

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

7. The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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