

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55252 of 2022

Arising Out of PS. Case No.-135 Year-2021 Thana- AANDAR District- Siwan

Sudhir Kumar Singh @ Sunil Singh @ Sudhir Singh, Son of Late Ramekbal Singh, Resident of Village- Yogyadih, P.S.- Guthani, District- Siwan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avanish Kumar Singh, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Aandar P.S. Case No.135 of 2021 (G.R. No.13/2021) registered for the offence punishable under Section 8(c)/21(c) of the N.D.P.S. Act.

There is alleged recovery of 900 gram (commercial quantity) heroin like substance from the petitioner and cash of Rs.2,05,000/-.

Petitioner's counsel submits that petitioner has falsely been implicated. The submission is that he is in custody since 02.08.2021 and at the time of submission of chargesheet, FSL report was not there.

Learned APP for the State submits that there is sufficient material in the investigation, as has been considered in



the order of rejection dated 28.02.2022 passed by the Special Court. The petitioner also has three antecedents under the NDPS Act.

Considering the rival submissions, material collected in investigation as per order of the learned Special Court, keeping in background the quantum of recovery (commercial quantity) vis-a-vis the bar under Section 37 of the NDPS Act; and the petitioner's custody since 02.08.2021, this Court is not inclined to allow the prayer. The prayer is rejected.

The trial court, however, shall take steps to expedite the trial without any undue delay or unnecessary adjournments.

(Madhuresh Prasad, J)

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