

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69539 of 2023

Arising Out of PS. Case No.-350 Year-2023 Thana- RAXAUL District- East Champaran

Suraj Kumar S/O Ramakant Mahato R/O Village- Mauje, Ward No.-15, P.S-
Raxaul, Distt.- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Raxaul (Haraiya) P.S. Case No.350 of 2023, lodged on
21.07.2023, under Section 20(b)(ii)(b)/23/27(A) of the N.D.P.S.
Act.

3. As per the prosecution case, FIR has been lodged
against petitioner alleging that from his possession 8 gms
Smack has been recovered.

4. Learned counsel for the petitioner submits that the
antecedent of the petitioner is clean. He is in custody since
22.07.2023. Learned counsel further submits that the said
quantity is much below than the commercial quantity but higher
than the small quantity. He submits that there is gross violation



of Section 50 of the N.D.P.S. Act as well as Section 100 of the Cr.P.C. He further submits that antecedent of the petitioner is clean. Charge sheet has already been submitted in this case.

4. Learned counsel for the State opposes the prayer for bail and submits that the quantity has been recovered from the possession of the petitioner is more than a small quantity.

5. In the present facts and circumstances of this case, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is rejected.

6. However, the petitioner would be at liberty to renew the prayer for bail six months after framing of the charge.

(Dr. Anshuman, J)

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