

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11443 of 2024

Arising Out of PS. Case No.-271 Year-2023 Thana- TATARPUR District- Bhagalpur

Sanjay Kumar Yadav Son of Munna Prasad Yadav Resident of Mohalla- Gwal
Toli, P.S. Jogsar, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Prasad, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 18-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Tatarpur P.S. Case No. 271/2023, lodged on 17.10.2023 under
Sections 20 and 22 of the NDPS Act.

3. As per the prosecution case, the present FIR has
been lodged against the sole petitioner upon recovery of 23.66
grams of brown sugar from his possession.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that whether the alleged recovered contraband is NDPS
material or not, has not been ascertained, as mentioned in the
FIR itself. The petitioner is in custody since 18.10.2023 and is
accused in two more criminal cases, but in both cases, he has



been granted bail. Moreover, the alleged recovered contraband is less than the commercial quantity and higher than the small quantity.

5. Learned counsel for the State opposes the prayer for bail and submits that the antecedent of the petitioner is not clean and he is accused in two more criminal cases of similar nature though the quantity of the recovered contraband from his possession is much below than the commercial quantity but higher than the small quantity. Moreover, from the antecedent of the petitioner, he appears to be a habitual offender.

6. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Tatarpur P.S. Case No. 271/2023, pending before the learned CJM, Bhagalpur is hereby rejected.

(Dr. Anshuman, J)

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