

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21899 of 2024

Arising Out of PS. Case No.-893 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Rahul Kumar S/o Manoj Kumar Ram R/o Vill - Khairy, P.S. - Tetarhat, Dist. -
Lakhisarai. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 23-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Section 8 (c)/21 (a) of the NDPS
Act.

3. Six sachets of brown sugar is said to have been
recovered from the possession of the petitioner.

4. It is submitted by learned counsel for the
petitioner that no such occurrence as alleged ever took place.
He is quite innocent and has been falsely implicated in this case.
No incriminating article has been recovered from his conscious
physical possession. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature. It
is further submitted that the petitioner is a student and he is
preparing for competitive examination and has nothing to do



with the entire incident. The petitioner has no criminal antecedent and has been languishing in custody since 10.12.2023.

5. Learned APP for the State vehemently opposing the bail petition submitted that considering the nature of the allegation, the petitioner does not deserve bail.

6. Earlier vide order dated 01.04.2024, case diary and F.S.L. report was called for. In the F.S.L. report, it is reported that the seized article was heroin.

7. In view of the fact that contraband article was recovered from the conscious possession of the petitioner and later on report of the F.S.L. has confirmed the alleged substance as heroin, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected.

(Anjani Kumar Sharan, J)

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