

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48939 of 2024

Arising Out of PS. Case No.-288 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

Sonu Kumar Suman SON OF Late Kameshwar Prasad Yadav @ Kamlesh Prasad Yadav RESIDENT OF VILL-SHALIGRAMI, POLICE STATION-SAHEB KAMAL, DIST-BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pal Singh, Sr. Adv.

Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 13-09-2024 Heard Mr. Krishna Prasad Singh, learned Senior

Counsel for the petitioner and Mr. Jitendra Kumar, learned APP.

2. The petitioner is in judicial custody in connection with S Kamal PS Case No 288 of 2021 dated 03.12.2021 registered for the offence punishable under Sections 120B/414 of Indian Penal Code, Sections 8(C), 21 (C), 25, 35 of the Narcotic Drugs and Psychotropic Substances Act and Sections 25 (1-b) a, 26, 35 of Arms Act.

3. As per the prosecution story, the allegation is that upon information that the petitioner is doing the business of narcotic drugs, house raided and besides other accused persons, this petitioner was also apprehended and allegation is that from this petitioner, total 2.346 Kgs smack recovered/seized. Accordingly, the FIR.

4. Learned Senior counsel for the petitioner submits that due to village rivalry, the petitioner has been implicated



along with two drug peddlers, namely, Nitesh Kumar @ Amrit and Nikhil Kumar.

5. Learned APP, on the other hand, points out that not only from the pocket of the petitioner but also from the bed and other places, there are recoveries which comes to 2.346 Kgs and it is much above the commercial quantity.

6. Earlier, the bail application of the petitioner was rejected on 08.09.2023 in Cr. Misc. No. 60030 of 2023. Pursuant to this present petition, a report was called for from the Trial Court according to which it has been conducted on daily basis and five out of nine witnesses have been examined till the report was submitted on 25.07.2024.

7. The quantity recovered/seized is above the commercial quantity and the petitioner also has criminal antecedent, the trial is at an advance stage, it would be appropriate that he cooperates in the trial so that it is taken to its logical conclusion at an earliest.

8. Accordingly, Cr. Misc. No. 48939 of 2024 stands rejected.

(Rajiv Roy, J)

Vijay Singh/-

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