

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67448 of 2024

Arising Out of PS. Case No.-145 Year-2024 Thana- MOUZAHDIPUR District- Bhagalpur

Sameer kumar @ Sameer Sah S/O Niroj Sah R/O Mohalla- Kalabganj,
Mirjanhat, P.S- Mojahidpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Kumar Jain, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Mojahidpur P.S. Case No. 145 of 2024, registered for the offences under Sections 21(b), 22(b) and 25 of the Narcotic Drugs and Psychotropic Substances Act.

3. As per the prosecution case, police conducted a raid in the house of the petitioner on a tip off that the petitioner has been involved in a business of brown sugar. Petitioner and three other co-accused persons were apprehended and from the search of the room of the petitioner, recovery of 15.11 gm of brown sugar kept in silver foil paper, electronic weighing machine, cash of Rs.2,770 and mobile phones were made. Further recovery of brown sugars and mobile phones were made from



other co-accused persons who were apprehended along with this petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The house from where recovery has been made is a joint house where other persons also reside and the alleged house does not belong to this petitioner. Nothing incriminating has been recovered from the conscious possession of this petitioner and the police forcibly seized money and took signature of the petitioner on a blank paper and prepared his confessional statement. The petitioner was made accused as one case of similar nature is pending against him. There is no witness to the search and seizure. The petitioner is in custody since 16.05.2024. The quantity of recovered contraband is less than the commercial quantity as notified in the office order under the Narcotic Drugs and Psychotropic Substances Act. The forensic report about nature of contraband is yet to be received.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that the recovery has been made from the room of the petitioner from where electric weighing machine and other articles and money were also recovered showing that the



petitioner has been indulging in illicit trade of the brown sugar.

6. In the light of the nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail.

7. Hence, the prayer for bail of the petitioner is rejected.

(Arun Kumar Jha, J)

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