

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66061 of 2023

Arising Out of PS. Case No.-633 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Nitesh Kumar @ Nitesh Singh @ Chhatu Singh son of Radhika Raman Singh,
resident of Village- Ganeshpur Mai Asthan P.S. Ahiyapur, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

7 29-02-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner seeks regular bail in connection with
N.D.P.S. Case No.112 of 2023, arising out of Ahiyapur P.S.
Case No.633 of 2023, lodged on 22.05.2023, under Section 414
of the Indian Penal Code and under Sections 8(c)/21(b) of the
N.D.P.S. Act.

3. As per the prosecution, total recovery of 18.10
grams of smack has been the subject matter of the present case.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel
submits that from the petitioner's possession 5.40 grams smack
like substance has been recovered. He submits that the said



quantity is more than small quantity but less than commercial quantity. He is in custody since 23.05.2023. Counsel submits that antecedent of the petitioner is not clean. There are two criminal cases pending against the petitioner.

5. No one appears on behalf of the State to defend this case but from the pleadings it transpires to this Court that out of two cases one case is relating to N.D.P.S. Act.

6. In this background, this Court is not inclined to grant bail to the petitioner. The prayer for bail of the petitioner is hereby rejected. However, liberty is hereby granted to the petitioner that he may renew his prayer for bail nine months after framing of the charge. The trial Court is directed to expedite the trial and conclude the same as early as possible.

(Dr. Anshuman, J)

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