

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17841 of 2025**

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

=====

Sonu Kumar Suman S/o Late Kameshwar Prasad Yadav @ Kamlesh Prasad  
Yadav R/o vill - Shaligrami, P.S.- Sahbpur Kamal, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Rajkumar Rajesh, Advocate  
For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      27-06-2025                      Heard the parties.

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. The FIR fairly records after the recovery of the smack from the bag of the petitioner, his house was raided and the FIR records that from the box of the bed, there is recovery/seizure of 761 gm smack, from another plastic box there is recovery/seizure of 437 gm of smack besides loaded pistol, black magazine and around Rs.28,10,000/-

5. The learned counsel for the petitioner submits that one of the co-accused Nitish Kumar has been extended relief in Cr.Misc.No.60030 of 2023 and as such the same be relief be extended to the petitioner.

6. Mr. Jitendra Kumar Singh, learned APP for the State has pointed out that the petitioner cannot equate himself with Nitish Kumar taking into account the recovery/seizure that has been recorded in the FIR, beside the fact that the petitioner has criminal antecedent.

7. In this case, the trial report was called for, which has come and as per it, six out of nine witnesses have already been examined. In that background, considering the recovery/seizure that has come from the petitioner coupled with the fact that he has criminal antecedent, he cannot equate himself from Nitish Kumar, in that background, this Court is not inclined to extend the privilege of bail to the petitioner, which is



accordingly rejected.

8. Since the petitioner is in custody for a long, six out of nine witnesses have already been examined as per the last report of the learned trial court, in that background, it is expected that the trial is expedited and the same is taken to its logical conclusion, preferably within a period of nine months.

9. The bail petition stands rejected.

**(Rajiv Roy, J)**

Saurav/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

