

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20354 of 2025

Arising Out of PS. Case No.-1157 Year-2024 Thana- ALAMGANJ District- Patna

Suraj Kumar @ Suraj Kumar Raj S/O Ajit Kumar @ Nimki Chaudhary R/O
Sadikpur, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Mohan, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-04-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Alamganj P.S. Case No. 1157 of 2024 for the offence under Sections 8(c), 21(a), 29 of the N.D.P.S. Act, lodged on 26.12.2024 by the informant.

3. As per the prosecution story, the informant upon information reached the place of occurrence and intercepted both Rohit Kumar and Cute Kumar. There is recovery of 5.4 grams of smack, 09 ampoules of Pheniramine Nalaate Injection IP and 02 piece of disposal syringes were found from Cute Kumar and besides the smack, 07 ampoules of Pheniramine Nalaate Injection and one piece of disposal syringe from this petitioner. Accordingly, the F.I.R.

4. Though learned counsel for the petitioner tried to impress upon this Court that the smack recovered is below the



commercial quantity to show his innocence, learned APP has pointed out that the criminal antecedent as also the mobile that was present at the spot belong to the petitioner.

5. Learned APP for the State further pointed out that besides the smack, 16 ampoules of Pheniramine Nalaate Injection IP were also recovered along with the syringes which clearly shows that they are in the business of making the young person sick by providing smack, ampoule/syringes. He further submits that facts narrated in the F.I.R. do not find incorporated in the prosecution story narrated in paragraph 4 of the petition.

6. Having gone through the facts of the case and found that certain important points of the F.I.R. has been deliberately not found concluded in the prosecution story in the petition, the stand of the petitioner's counsel is deprecated and he is cautioned to remain agile in future.

7. Considering the aforesaid facts and the allegation that has come against the petitioner, this is not a fit case for grant of relief to the petitioner.

8. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

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