

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43105 of 2025

Arising Out of PS. Case No.-21 Year-2024 Thana- MOUZAHDIPUR District- Bhagalpur

Dayanand Kumar S/o Anil Sah R/vill- Aliganj, P.S.- Babarganj, (Mojahidpur,
Distt- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 27-06-2025 Heard learned counsel appearing on
behalf of the parties.

2. The petitioner seeks bail in connection with Mojahidpur P.S. Case No.21 of 2024 registered for the offence under Sections 21(c) and 22 of NDPS Act.

3. As per FIR, there is recovery of total 200 gram of brown sugar has been made from possession of this petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that quantity of alleged recovered brown sugar is 200 gram which is more than small quantity and much less than commercial quantity. It is further submitted that petitioner is a man of



clean antecedent and he is in custody since 08.01.2024. It is further submitted that this is second attempt of regular bail before this Court, earlier attempt of regular bail of the petitioner was rejected vide order dated 23.04.2024 passed in Cr. Misc. No. 28087 of 2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. In view of the submissions as made above and as quantity of recovered article i.e. brown sugar i.e. 200 gram is more than small quantity and less than commercial quantity, it seems that there is no fresh ground to reconsider his prayer for regular bail.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

8. However, on perusal of impugned order, it appears that the trial is likely to be concluded within three months as stated in last paragraph of the impugned order passed by Additional Sessions Judge-I, Bhagalpur. Petitioner is directed to co-operate in trial and trial Court is directed to conclude the trial within the stipulated period as sated by Additional Sessions Judge-I, Bhagalpur in its order



and if trial is not concluded within the stipulated period petitioner is at liberty to file prayer for regular bail before the trial Court and trial court shall consider prayer for regular bail of the petitioner without being prejudice of this order.

(Ramesh Chand Malviya, J)

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