

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44323 of 2025

Arising Out of PS. Case No.-1191 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Sawan Das @ Pankaj Kumar, aged about 24 years, (M), son of Sri Surendra Das @ Suresh Das, resident of Village- Tatma Toli, Shankar Chowk, P.S.- K. Hat (Sahayak), District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 04-07-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Supplementary Special (NDPS) Case No.05 of 2024 arising out of K. Hat (Sahayak) PS Case No.1191 of 2023 dated 2010.2023, instituted for the offence punishable under Sections 8(c) and 21(b) of the NDPS Act.

3. Allegation is of recovery of 72 grams of smack (Brown Sugar) from the house of the petitioner on the basis of confessional statement of co-accused Shadab Alam @Mannu.

4. Prayer of the petitioner for bail was earlier rejected by this Court vide order dated 10.01.2025 passed in Cr. Misc. No.86245 of 2024.



5. Learned counsel for the petitioner submits that the petitioner has been made accused in this case only on the basis of confessional statement of co-accused. The house from which recovery has been made is a dwelling house and other family members of the petitioner also reside in that house. The petitioner has no concern with the alleged recovered smack. Further submission is that till date no FSL report has come on record with regard to the recovered contraband. Lastly, it is submitted that the petitioner is in custody since 09.08.2024 and three cases are pending against the petitioner.

6. Learned APP has opposed the prayer for bail.

7. Perusal of the case record shows that the petitioner has one criminal antecedents of similar offence.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant bail to the petitioner at this stage.

9. Prayer of the petitioner for bail is once again rejected.

10. The application stands dismissed.

(Khatim Reza, J)

J. Alam/-

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