

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58565 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- KATIHAR NAGAR District- Katihar

Sujeet Kumar Sharma S/O Dilip Sharma R/O Vinodpur, P.S.- Katihar Nagar,
Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.NK Agrawal, Sr. Adv.
Mr. Sanjeev Kumar Singh, Adv.
For the Opposite Party/s : Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-02-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Katihar Nagar P.S. Case No. 81 of 2025 registered for the offences under Sections 8(c), 21(c), 22(c), 25 and 29 of the N.D.P.S. Act.

3. As per case of prosecution total of 299.32 grams of smack was recovered from the possession of different co-accused persons along with 1189 liters of Wiscof Syrup having one of the constituent as “codeine”.

4. It is submitted by Mr. N.K. Agrawal learned senior counsel appearing on behalf of the petitioner that the name of petitioner disclosed on the basis of apprehended co-accused person and save and except suspicion nothing transpired against this petitioner during investigation who is a man of clean



antecedent. It is submitted that other apprehended co-accused persons has already granted bail by this Court and other learned co-ordinate Bench of this Court through Cr. Misc. No. 50126 of 2025 dated 11.09.2025 and Cr. Misc. No. 22374 of 2025 dated 01.09.2025.

5 Learned APP while opposing the prayer of bail submitted that total recovered quantity of smack appears commercial in nature which recovered from the vehicle which is registered in the name of this petitioner and therefore his involvement with alleged recovery cannot be over looked particularly, in view of Section 35 of NDPS Act qua culpable mental state of the petitioner. It is submitted that rigors of Section 37 of NDPS Act also put bar to grant bail in such a case of recovery.

6. Taking note of fact as petitioner is owner of the vehicle from where commercial quantity of smack alleged to be recovered, accordingly, the prayer of anticipatory bail of the above-named petitioner stands **rejected**.

(Chandra Shekhar Jha, J)

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