

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19964 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- RAFIGANJ District- Aurangabad

Ajay Kumar Son of Bifan Saw Resident of vill.-Chitra Sari, P.S.-Rafiganj,
Distt.-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Rafiganj P.S. case No.
08 of 2024 instituted for the offences under Sections 8, 20(b)(ii)
(a) and 25 of the N.D.P.S. Act.

3. Prosecution allegation, in short, is that 125 gram
ganja is recovered in this case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 11.01.2024 and
has got no criminal antecedent. Charge-sheet has been
submitted in this case. No incriminating material has been
recovered from the conscious possession of the petitioner. The



recovered contraband is even below the small quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner, the period of custody undergone by the petitioner and the recovered contraband under small quantity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rafiganj P.S. case No. 08 of 2024.

(Rudra Prakash Mishra, J)

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