

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27685 of 2024

Arising Out of PS. Case No.-391 Year-2023 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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Kuldeep Kumar Son of Hira Ram Resident of Village- Barkagaon, P.S.-
Belaon, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh
For the Opposite Party/s : Mr.Yogendra Kumar

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

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 391 of 2023 instituted for the
offences punishable under Sections 8(c), 21(a) of the N.D.P.S.
Act.

3. As per prosecution case, there has been recovery of
total 1.880 Gm of Heroine like substance from the possession of
the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. The recovered
contraband is below the small quantity. Hence Section 37



of the N.D.P.S. Act is not applicable in this present case. The petitioner is in custody since 27.12.2023 and has no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned APP 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, the recovered contraband being below the commercial quantity as well as the period of custody undergone by the petitioner, 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 Bhagwanpur P.S. Case No. 391 of 2023.

(Rudra Prakash Mishra, J)

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