

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36352 of 2024**

Arising Out of PS. Case No.-206 Year-2024 Thana- KATIHAR NAGAR District- Katihar

ROHIT KUMAR @ MONU S/O RAJEEV YADAV @ NAGENDRA RAY @
RAJU YADAV R/O VILLAGE- BARMASIA, YADAV TOLA, WARD NO.
12, P.S- SAHAYAK, KATIHAR, BIHAR-854105.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey, Advocate

For the Opposite Party/s : Ms.Sharda Kumari, APP

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

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Katihar
Nagar (Sahayak) P.S. case No. 206 of 2024, G.R. No. 1692 of
2024 instituted for the offences under Sections 8(c), 21(a) of
the N.D.P.S. Act.

3. Prosecution case, in short, is that 1.190 grms of
smack has been recovered in this case.

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. Petitioner is in



custody since 30.03.2024 and has no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. The recovered contraband is below small quantity. There is no compliance of Section 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, seized contraband being less than small quantity as also 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 Katihar Nagar (Sahayak) P.S. case No. 206 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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