

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41791 of 2024

Arising Out of PS. Case No.-247 Year-2024 Thana- Excise P.S. District- Aurangabad

1. Chandragupt Kumar Singh Son of Rashvansh Narayan Singh @ Raghubansh Narayn Singh Village -Manjurakha Ps- Muffasil District -Aurangabad
2. Rahul Kumar Singh Son of Sri Pati Singh Village -Chaparwar Ps- Pipra District -Palamu Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-06-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Aurangabad Excise P.S. case No. 247 of 2024 instituted for the offences under Sections 20(B) and 22 of the N.D.P.S. Act.

3. Prosecution case, in short, is that total 8 Kg. *ganja* has been recovered in this case.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Charge-sheet has been submitted in this case. Petitioners are in custody since 22.03.2024 and have no criminal antecedent. There is no allegation of tampering of witnesses alleged against



the petitioners. No incriminating material has been recovered from the conscious possession of the petitioners. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. 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 petitioners.

6. Considering the aforesaid facts and circumstances of the case, recovered contraband being below the commercial quantity, clean antecedent of the petitioners as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Aurangabad Excise P.S. case No. 247 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

