

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56331 of 2024

Arising Out of PS. Case No.-571 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

Manu Vats Son of Navin Kumar Singh @ Navin Kumar R/V- Bikrampur,
P.S.- Chairiya Bariyarpur Begusarai Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jagdishpur P.S. Case No. 5103026230571 of 2023 [NDPS-149-23] instituted for the offences under Sections 21(b), 23 of the N.D.P.S. Act.

3. Prosecution case, in short, is that total 170 gram brown sugar has been recovered in this case out of which 70 gram brown sugar has been recovered from 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. Petitioner is in custody since 19.12.2023 and has one 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 the 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 petitioner.

6. Considering the aforesaid facts and circumstances of the case, recovered contraband being less than commercial 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 Jagdishpur P.S. Case No. 5103026230571 of 2023 [NDPS-149-23].

(Rudra Prakash Mishra, J)

Alok Verma/-

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