

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60985 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- RAHIKA District- Madhubani

Lalbodh Chaudhary @ Lalbodh Kumar Son of Late Subhnarayan Chaudhary
R/O Vill.- Madhepur, P.s.- Kaluahi, Dist.- Madhubani

... .. 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. Mukesh Kumar Singh, APP

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

ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with G.R.
No. 49 of 2024 arising out of Rahika P.S. Case No. 144 of 2024
instituted for the offences under Sections 20, 22 of the N.D.P.S.
Act.

3. Prosecution case, in short, is that 5.2 Kg. *ganja* has
been recovered in this case.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is in custody since 09.07.2024 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 more than small quantity but less than 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 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, 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 Rahika P.S. Case No. 144 of 2024.

(Rudra Prakash Mishra, J)

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