

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78726 of 2024

Arising Out of PS. Case No.-113 Year-2024 Thana- CHANDRAMANDI District- Jamui

Bablu Kumar @ Bablu Kumar Singh Son of Parmanand Singh R/o - Parariya,
Barondiya, P.S - Simultala, District - jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

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

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

ORAL ORDER

2 11-11-2024 Heard learned counsel for the petitioner and Ms. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with NDPS No. 07 of 2024 arising out of Chandramandi P.S. Case No. 113 of 2024 instituted for the offences under Sections 8/20(b)(ii)(B) of the NDPS Act.

3. Prosecution allegation, in short, is that 6.390 Kgs of ganja was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner



further submits that petitioner has no concern with the recovered contraband. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 29-06-2024 and has got no criminal antecedent. 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, recovery below the commercial quantity, clean antecedent of the petitioner and 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 NDPS No. 07 of 2024 arising out of Chandramandi P.S. Case No. 113 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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