

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81476 of 2024

Arising Out of PS. Case No.-602 Year-2024 Thana- HISUWA District- Nawada

Madan Kumar Son of Awdhesh Singh Resident of Village - Basti Bigha, P.S.-
Hisua, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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

ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Hisua
PS Case No. 602 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act and
Sections 8, 20(B)IIA of the NDPS Act.

3. The prosecution case, in short, is that 750 ML
foreign liquor, 135 grams of ganja was recovered from the shop
of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor and contraband. Recovery is below small quantity. Hence, Section 37 of the NDPS Act is not applicable in this case. The petitioner is in custody since 11-10-2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. There is no compliance of Sections 42 and 50 of the NDPS 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 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 Hisua PS Case No. 602 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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