

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6526 of 2025**

Arising Out of PS. Case No.-267 Year-2022 Thana- KHAIRA District- Saran

Ramjee Singh S/o Shri Om Prakash Singh R/O Village- Patedha, P.s. - Khaira,  
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kunal Singh, Advocate  
For the State : Mr. Ajit Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

5      09-05-2025                      Heard Mr. Kunal Singh, learned counsel for the  
petitioner and Mr. Ajit Kumar, learned APP for the State.

2.      Petitioner seeks bail who is in custody since  
13.07.2022 in connection with Khaira P.S. Case No. 267 of  
2022, N.D.P.S. Case No. 16 of 2022 for the offences punishable  
under Sections 8, 20(b)(ii)(c), 25 and 29 of the N.D.P.S. Act.

3.      Earlier the prayer for bail of the petitioner was  
rejected vide order dated 15.05.2023 passed in Cr. Misc. No.  
7900 of 2023 by a Coordinate Bench of this Court. Thereafter,  
the petitioner had again moved for bail in Cr. Misc. No.  
02.07.2024 which was also rejected by a Coordinate Bench of  
this Court on 02.07.2024.

4.      Learned counsel for the petitioner submits that  
while the rejecting the bail of the petitioner by the second time,  
the learned Court has observed and direct the learned Trial



Court to conclude the trial within a period of six months and apart from that learned Coordinate Bench of this Court had given liberty to renew his prayer for bail after six months if the trial is not concluded.

5. It appears from the F.I.R. as well as seizure list that altogether 575.500 Kgs. of *Ganja* was recovered from the vehicle in question and the FSL report confirms that the recovered contraband is *Ganja*.

6. Learned Additional Public Prosecutor, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the recovered contraband is more than the commercial quantity, so there is embargo under Section 37 of the N.D.P.S. Act to enlarge the petitioner on bail and FSL report also confirms that the recovered contraband is *Ganja* and apart from that the petitioner carries one more case of NDPS matter which suggests that the petitioner is involving in the NDPS cases continuously.

7. The grant of bail in NDPS cases where the recovery of commercial quantity of narcotic is alleged is circumscribed under Narcotic Drugs and Psychotropic Substance Act, 1985, Section 37 which says that before grant of bail, the Court must have reason to believe that petitioner has not committed the



offence and in the event of release he would not commit similar offence.

8. The issue was considered by the Hon'ble Supreme Court in the case of **State of Kerala and Ors. Vs. Rajesh and Ors.** reported in **(2020) 12 SCC, 122** as well as in the case of **Narcotic Control Bureau Vs. Mohit Aggarwal** reported in **AIR 2022 SC 3444** and **Union of India vs. Ajay Kumar Singh @ Pappu** reported in **2023 SCC OnLine SC 3456** dated 28.03.2023.

9. The recovery of huge quantity of *Ganja* recovered would not justify that the petitioner had no knowledge of the narcotic nor there is any material to substantiate that the petitioner would not commit such offence in the event of release.

10. Hence, I am not inclined to enlarge the petitioner on bail in connection with Khaira P.S. Case No. 267 of 2022, N.D.P.S. Case No. 16 of 2022 pending in the Court of learned Additional Sessions Judge-I, Saran at Chapra.

11. Prayer is refused.

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**(Rajesh Kumar Verma, J)**

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