

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7810 of 2025

Arising Out of PS. Case No.-114 Year-2023 Thana- RUPAULI District- Purnia

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Golu Sinha @ Golu Kumar @ Ravi Shankar Kumar Sinha S/O Shiva Chandar Prasad @ Shiva Chandara Prasad Sinha R/O Sarsi Ishtmarar Milik, Ward No.06- P.S- Sarsi, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Shankar, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 06-02-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Suppl. Special Case (NDPS Act) No. 51 of 2023 arising out of Rupauli P.S. Case No. 114 of 2023 instituted for the offences under Sections 8(c), 21(c), 25 of the N.D.P.S. Act.

3. Prosecution case, in short, is that 15 grams brown sugar/smack has been recovered in this case.

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 13.09.2024 and has one criminal antecedent. Learned counsel further submitted that the recovery of the



contraband has been made from house of the co-accused namely Rana Yadav. 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 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, recovery of the 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 Suppl. Special Case (NDPS Act) No. 51 of 2023 arising out of Rupauli P.S. Case No. 114 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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