

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3897 of 2025

Arising Out of PS. Case No.-646 Year-2024 Thana- NAGAR District- Vaishali

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Randhir Rai S/o Devendra Rai R/o Village- Hela Bazar, P.S.- Hajipur Town,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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

ORAL ORDER

2 30-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Hajipur Town PS Case No. 646 of 2024 instituted for the
offences under Sections 8(c), 21(c), 22 & 29 of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of total 863.685 grams smack like substance from the
possession of petitioner and co-accused, out of which 430.695
grams smack has been recovered from the petitioner's
possession.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 26-08-2024 and



has got no criminal antecedent. Charge-sheet has been submitted in this case, but without FSL report. There is no allegation of tampering of witnesses alleged against the petitioner. Learned counsel further submits petitioner has no concern with the recovered contraband. There is no compliance of Sections 42 & 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. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act. It is contended that petitioner is a party to criminal conspiracy.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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