

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6107 of 2025

Arising Out of PS. Case No.-40 Year-2024 Thana- NIMACHANDPURA District- Begusarai

Ritesh kumar S/o Satrudhan Singh R/o Vill - Bandwar, P.s. - Nima
Chandpura, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

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

ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with NDPS
P.S. Case No. 25 of 2024 arising out of Nima Chandpura P.S.
Case No. 40 of 2024 instituted for the offences under Sections
413, 414, 34 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, and Sections
8, 20(b) of the N.D.P.S. Act.

3. Prosecution case, in short, is that 300 grams of
ganja, five litres of illicit liquor and two motorcycles have been



recovered from the mango orchard of this petitioner.

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 27.05.2024 and has one criminal antecedent. 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. Learned counsel further submitted that petitioner has no concern with the recovery of ganja and liquor. The recovered contraband is below the small 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 and Section 103 of the BNSS, 2023.

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, recovered contraband being less than small 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 NDPS P.S. Case No.



25 of 2024 arising out of Nima Chandpura P.S. Case No. 40 of
2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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