

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7273 of 2025

Arising Out of PS. Case No.-604 Year-2024 Thana- NAUBATPUR District- Patna

Laxman Kumar S/O Naresh Mahto R/O Village- Dariyapur Chainpura, P.S-
Naubatpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandrashekhar Prasad, Adv.

For the Opposite Party/s : Mr.Tapeshwar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Naubatpur P.S. Case No. 604of 2024, registered for the offences under Sections 8(c), 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, recovery of 18 *puriya* (sachet) of smack was made from the petitioner who was apprehended on the basis of some secret information. The weight of each *puriya* was found to be 0.65 gram and thus, 11.7 gram of smack was recovered from the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner and



the so called recovery is planted. Even the alleged recovered contraband was weighed including the weight of the *puriyas* in which the contraband has been wrapped and therefore, the actual quantity of the contraband would be less than the identified small quantity. The petitioner is in custody since 03.10.2024 and he has no criminal antecedent. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that the recovery of 11.7 gram of smack has been made from the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the weight of the contraband seized from the petitioner and further considering the submission of charge sheet, clean antecedent of the petitioner and his period of custody, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special (N.D.P.S. Act) Court No. 1, Patna/concerned court, in connection with Naubatpur P.S. Case No. 604of 2024, subject to the condition laid down under Section 437(3) of the code of



Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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