

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7478 of 2025

Arising Out of PS. Case No.-853 Year-2024 Thana- GOPALGANJ TOWN District-
Gopalganj

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Rani Devi W/O Rahul Kumar Sah R/O- Karariya, PS-Gopalganj, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Gopalganj P.S. case No. 853 of 2024 instituted for the offences
under Sections 8(c), 21(a) of the N.D.P.S. Act, 1985.

3. As per prosecution case, the police has recovered
3.12 gram smack in nine *Puriyas* from the possession of the
petitioner. It is also alleged that the police has also recovered
15.51 gram Ganja in seven *Puriyas* from the possession of the
co-accused Arjun Singh.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case only on
the basis of suspicion. Charge-sheet has been submitted in this
case. Petitioner is in custody since 25.11.2024 and has no
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. 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, clean antecedent 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 Gopalganj P.S. case No. 853 of 2024.

(Rudra Prakash Mishra, J)

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