

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13725 of 2025

Arising Out of PS. Case No.-192 Year-2024 Thana- JOGBANI District- Araria

=====

Golu Kumar Ram @ Golu Kumar Chamar @ Golu Kumar S/O Prabhu Ram
Yadav @ Prabhu Ram R/O Vill.- Budhanagal, P.S.- Morang, Dist.- Morang,
Nepal.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

=====

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

ORAL ORDER

4 27-06-2025 Heard Mr. Vijay Kishore Bharti, learned counsel for

the petitioner, Mrs. Renu Kumari, learned APP for the State and

perused the case diary.

2. The petitioner seeks bail in connection with Jogbani
P.S. Case No. 192 of 2024, instituted for the offences punishable
under Sections 20(B)(ii)(c) of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 114.500 Kg of ganja from the possession of
petitioner along with other co-accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner has got no concern with the alleged recovery of ganja. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 21.09.2024 and has got no criminal antecedent. 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. 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.

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.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

