

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19002 of 2025**

Arising Out of PS. Case No.-1199 Year-2022 Thana- KHAJANCHI HAT District- Purnia

Rohit Urawn @ Rohit Urown @ Rohit Kumar S/O Vikram Urown @ Chunni Lal Urown Resident of Driver Tola, Rambag, Police Station- Sadar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

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

ORAL ORDER

2      07-04-2025                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Supplementary Special (NDPS) Act Case No. 03 of 2023 arising out of K. Hat P.S. Case No. 1199 of 2022 instituted for the offences under Sections 8(c), 21(b) of the N.D.P.S. Act.

3. Prosecution case, in short, is that on secret information, police raided the place and arrested seven accused persons with 7 grams smack and 11.5 litres foreign liquor. It is further alleged that co-accused Kunal Kumar Paswan disclosed that he purchased the smack from the petitioner.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case.



Petitioner is in custody since 22.12.2024 and has no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Petitioner was not apprehended on the spot, rather his named has been disclosed by the co-accused Kunal Kumar Paswan from whose possession the contraband have been recovered. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovery of liquor and smack. The recovered contraband is just above the small quantity and far below the 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, the recovered contraband being less than commercial 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 Supplementary Special (NDPS) Act Case No. 03 of 2023 arising out of K. Hat P.S. Case No. 1199 of 2022.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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