

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18689 of 2025

Arising Out of PS. Case No.-21 Year-2020 Thana- NIMCHAKBATHANI District- Gaya

Bindu Chauhan Son of Naresh Chauhan Resident of Village - Ganpatnagar,
P.S. - Neemchak Bathani, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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

ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with NDPS
Case No. 87 of 2024 arising out of Neemchak Bathani PS Case
No. 21 of 2020 instituted for the offences under Sections 20(b)
(ii) of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of total 6 Kg ganja from the possession of co-accused
persons, including the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet 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 petitioner has no concern with the recovered contraband. Learned counsel for the petitioner goes on to submit that the case is false and planted by the petitioner's enemies in connivance with the local *chowkidar* and police. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 18-09-2024 and has got six criminal antecedents. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Other co-accused has been granted bail by this Court vide order dated 27-03-2025, passed in Cr. Misc. No. 17891 of 2025.

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, recovery below commercial quantity, claim based on parity and 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 Case No. 87



of 2024 arising out of Neemchak Bathani PS Case No. 21 of
2020.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

