

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21122 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- DIGHA District- Patna

Vikas Kumar Yadav S/O Late Bharat Ray R/o - New Panapuri, Nawdiyari, P.S
- Akilpur, District - Chhapra, Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Adv.

For the Opposite Party/s : Mr. Murli Dhar, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Digha
P.S. Case No. 43 of 2025 instituted for the offences under
Sections 8(C), 20, 22 of the N.D.P.S. Act.

3. As per prosecution case, the police has recovered 02
sachets containing brown sugar from the possession of the
petitioner and altogether 30 sachets containing 15.71 grams of
brown sugar from the possession of all the accused persons
including the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. Petitioner is in
custody since 20.01.2025 and has no criminal antecedent. There
is no allegation of tampering of witnesses alleged against the



petitioner. Nothing 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 and taking into account the quantity of the contraband which is much below the commercial quantity, 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 Digha P.S. Case No. 43 of 2025.

(Rudra Prakash Mishra, J)

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