

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19756 of 2025**

Arising Out of PS. Case No.-7 Year-2025 Thana- JAGDISHPUR District- Bhagalpur

Sanjeet Kumar Sah S/o Late Jai Prakash Sah Resident of Village- Puraini
Bazar, Besides UCO Bank, Police Station- Jagdishpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Aayush Abhishek, Adv. Mrs. Bharti Kumari, Adv. Mr. Jwala Kumar, Adv.
For the Opposite Party/s :		Mr.Harendra Prasad, APP

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

ORAL ORDER

2 10-04-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner seeks bail in connection with

Jagdishpur P.S. case No. 07 of 2025 instituted for the

offences under Section 21(b) of the N.D.P.S. Act.

3. As per prosecution case, the police, on receipt of

secret information, reached at the tea-shop of the petitioner.

The counter of the tea-shop was searched and, in course

thereof, total 08.32 gram brown-sugar was recovered, which

were kept in a polythene in which tea-leaf was kept.

4. Learned counsel for the petitioner submitted that



the petitioner has falsely been implicated in the present case. Petitioner is in custody since 11.01.2025 and has one criminal antecedent in which he is on bail. 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, the period of custody undergone by the petitioner as also considering the quantity of the contraband which is 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 Jagdishpur P.S.



case No. 07 of 2025.

(Rudra Prakash Mishra, J)

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