

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24998 of 2025

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

Bal Krishan Yadav @ Bal Kishan Yadav S/o- Ganesh Yadav Resident of
village - Jatwa Tola, W.No-14, PS- Rani, Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Advocate

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

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

ORAL ORDER

3 08-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Jogbani PS Case No. 192 of 2024 instituted for the offences
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 the co-
accused, including the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 21-09-2024 and
has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. Learned



counsel further submits that petitioner has no concern with the recovered contraband. He next submits that there is no compliance of Sections 42 and 50 of the NDPS 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. It is lastly submitted that bail of similarly situated co-accused person has been rejected by a Co-ordinate Bench of this Court vide order dated 19-02-2025, passed in Cr. Misc. No. 9320 of 2025.

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*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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