

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26690 of 2025

Arising Out of PS. Case No.-988 Year-2024 Thana- JAHANABAD District- Jehanabad

Santosh Kumar S/O Baiju Chaudhary R/O Panchmahalla, P.S. and Dist.- Je-
hanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kunwar Digvijay Singh
For the Opposite Party/s	:	Ms.Rita Verma

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

ORAL ORDER

2 25-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Jehanabad P.S. Case No. 988 of 2024 registered for the offences punishable under Sections 8(c), 21(a) & 29 of the NDPS Act.

3. Prosecution case in short is that there is recovery of 5 gram smack from the possession of co-accused, namely, Sunny, who disclosed the name of the petitioner as one of the associates of the syndicate.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case.



Charge sheet is submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner submits that petitioner has no concern with the recovered contraband. The recovered contraband is below the commercial quantity. Hence, Section 37 of the NDPS Act is not applicable in the present case. Petitioner is a man of clean antecedent. There is no compliance of Sections 42 and 50 of the NDPS Act. Other co-accused has been granted bail by this Court vide order dated 12-02-2025, passed in Cr. Misc. No. 5822 of 2025. The co-accused Rita Devi has also been granted anticipatory bail by this Court vide order dated 28.02.2025 passed in Cr. Misc. No. 13321 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Jehanabad P.S. Case



No. 988 of 2024, subject to the conditions as laid down under
Section 482 (2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

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