

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20127 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- JOGBANI District- Araria

Md. Salim @ Mohammed Salim Son of Late Md. Najir @ Mohammed Najir
Resident of Village - Old Jogbani, Ward No.- 01, Police Station - Jogbani,
District - Arariya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Mr. Rina Sinha, APP

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

ORAL ORDER

2 15-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jogbani
P.S. Case No. 02 of 2025 instituted for the offences under
Sections 20(b)(ii)(C) of the NDPS Act.

3. Prosecution allegation, in short, is that total 243 Kg.
ganja has been recovered in this case.

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 04.01.2025 and
has got no criminal antecedent. Nothing has been recovered
from the conscious possession of the petitioner. There is no
allegation of tampering of witnesses alleged against the



petitioner.

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.

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.

(Rudra Prakash Mishra, J)

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