

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22248 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- KACCHWA District- Rohtas

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Dadan Singh S/o- Late Ramgati Singh Village- Kaithi Jagu Tola Ps-
Kachhawa Dist- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India, NDPS Act, Patna High Court Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Usha Rai, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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

ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner, learned APP

for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Kachhawa P.S. Case No. 19 of 2025, instituted for the offences
under Sections 8, 20(b)(ii)(B) of NDPS and Section 30(a) of
Bihar Prohibition and Excise Amendment Act.

3. Prosecution allegation, in short, is that there is
recovery of 1.277 Kg *Ganja* and 07 liters of liquor from the
house of the petitioner. The petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner



further submits that the petitioner has got no concern either with the recovered *Ganja* or with the liquor. The alleged recovery has been made from the joint house of the petitioner where other family members also reside. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 28.01.2025 and has got no criminal antecedent. 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 recovered contraband being below the commercial quantity and the period of custody undergone by the petitioner, 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 Kachhawa P.S. Case No. 19 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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