

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22228 of 2025**

Arising Out of PS. Case No.-560 Year-2024 Thana- NARPATGANJ District- Araria

Raushan Kumar @ Roshan Kumar S/o- Late Raja Ram Sah Village- Mansi
Khutiya PS-Mansi District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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

ORAL ORDER

2 28-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Narpatganj P.S. case No. 560 of 2024 instituted for the offences
under Sections 8, 20(B), 11B of the N.D.P.S. Act.

3. As per prosecution case, the police has recovered
total 10 Kg. Ganja from the possession of the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case on the
basis of suspicion. Petitioner is in custody since 11.11.2024 and
has no criminal antecedent. Learned counsel for the petitioner
submits that the charge-sheet has been submitted in this case
without enclosing the Forensic Science Laboratory report. 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, clean antecedent as also 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 Narpatganj P.S. case No. 560 of 2024.

(Rudra Prakash Mishra, J)

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