

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22925 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- RAMGARH District- Kaimur (Bhabua)

Umesh Ram S/o Late Poojan Ram R/o Vill- Mahuar, P.S.- RAMgarh, Distt-
Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jay Prakash Ram, Police Sub Inspector Ramgarh Police Station, Distt-
Kaimur at Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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

ORAL ORDER

2 24-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Ramgarh PS Case No. 17 of 2025 instituted for the offences
under Sections 8(c) & 21(b) of the NDPS Act.

3. Prosecution allegation, in short, is that 6.340 grams
smack and cash of Rs. 7,200/- were recovered from the
possession of the petitioner.

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



the petitioner further submits that petitioner has no concern with the recovered contraband. Learned counsel submits that recovery is planted. 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 17-01-2025 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, recovery below 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 Ramgarh PS Case No. 17 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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