

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25531 of 2025**

Arising Out of PS. Case No.-297 Year-2024 Thana- MAGADH MEDICAL COLLEGE  
District- Gaya

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Shatrudhan Singh @ Satrudhan Singh S/o- Late Suresh Singh Resident of  
Kosh dihra @ Kusdihra, Police Station-Magadh Medical, Distric- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate  
For the Opposite Party/s : Mr. Nagendra Prasad, APP

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**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 apprehends his arrest in connection  
with Magadh Medical P.S. Case No. 297 of 2024 instituted for  
the offences under Sections 8/20(b)(ii)(B) of the N.D.P.S. Act  
and Section 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that total 11.9 kilogram  
*ganja* has been recovered in this case.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case.  
Charge-sheet has been submitted in this case. Petitioner has one  
criminal antecedent. 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 Section 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, nature of offence, in my view, this is not a fit case for anticipatory bail, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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