

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25656 of 2025

Arising Out of PS. Case No.-225 Year-2024 Thana- SARSI District- Purnia

Chandra Kishore Kumar @ Chandra Kishore Mehta Son of Satya Narayan Mehta @ Satnarayan Mehta Resident of Vill- Ashraf Nagar, P.S.- Champa Nagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Sarsi P.S. Case No. 225 of 2024 instituted for the offences under Sections 8(c), 21(b), 25 of the N.D.P.S. Act.

3. Prosecution case, in short, is that 106.04 gram smack has been recovered in this case from the possession of the petitioner.

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 is in custody since 01.12.2024 and has no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioner. Learned counsel for the petitioner submits that nothing has been recovered from 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. Other co-accused has been granted bail by this Court vide order dated 03-04-2025, passed in Cr. Misc. No. 727 of 2025.

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 of the contraband being less than commercial quantity 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 Sarsi P.S. Case No. 225 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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