

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31382 of 2025

Arising Out of PS. Case No.-872 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Manish Kumar Son of Gyani sah Resident of village - Meerganj, PS-
Meerganj, Dist- 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. Pawan Kumar Chaurasia, APP

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

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with NDPS
Case No. 87 of 2024 arising out of Katihar Town P.S. Case No.
872 of 2024 instituted for the offences under Sections 8(c),
21(b), 22(b) of the N.D.P.S. Act.

3. Prosecution case, in short, is that altogether 200
grams of smack 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 is in
custody since 16.12.2024 and has no 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 Sections 42 and 50 of the N.D.P.S. Act. The co-accused person has already been granted bail by this Court vide order dated 24.02.2025 passed in Cr. Misc. No. 9734 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, recovered 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 NDPS Case No. 87 of 2024 arising out of Katihar Town P.S. Case No. 872 of 2024 .

(Rudra Prakash Mishra, J)

Alok Verma/-

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