

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32248 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- DIGHA District- Patna

Vicky Kumar @ Vikka @ Vickka S/o- Suresh Ray Resident of vill- New
Panapur Nawdiyari PS- Akilpur Dist- Chhapra (Saran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, 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 Digha
P.S. case No. 43 of 2025 instituted for the offences under
Sections 8(c), 20, 22 of the N.D.P.S. Act.

3. As per prosecution case, the police has recovered
total 15.71 gram of brown sugar from the possession of the
accused persons including the petitioner. It is alleged that 25
small packets (Purias) of Brown Sugar and one real mi mobile
and Rs. 2250/- were recovered from the possession of the
petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Petitioner is in custody since 20.01.2025 and has one criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The recovered contraband is just above the small quantity but much below the 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. He further submits that the co-accused Raju Kumar has already been granted bail by this Court vide order dated 02.04.2025 passed in Cr. Misc. No. 18760 of 2025. Co-accused Vikas Kumar Yadav has also been granted bail by this Court vide order dated 22.04.2025 passed in Cr. Misc. No. 21122 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 and the period of custody undergone by the petitioner as also the prayer for bail being based on parity, 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 Digha P.S. case No.
43 of 2025.

(Rudra Prakash Mishra, J)

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