

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32513 of 2025

Arising Out of PS. Case No.-77 Year-2024 Thana- RATANPUR District- Supaul

Shashi Kumar S/O Raj Kumar Chaupal @ Rajkumar Sharma @ Raj Kumar
Sharma R/O Vill.- Ratanpura, Ward no. 9, P.s.- Ratanpur, Dist.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and the
State.

2. The petitioner makes a prayer for grant of regular bail in connection with Ratanpura P.S.Case No.77 of 2024 registered for the offence under sections 8,20(b) (ii) (B),29 of the NDPS Act.

3. The allegation in the FIR, is that during the course of checking, two persons coming from Dhadha and after seeing the police personnel started to flee away but they were arrested by the police force. It is stated that the pillion rider managed to escape, whereas the person driving the said motorcycle was arrested and he disclosed his name as Shashi Kumar, who is the present petitioner. Further from the bag kept on the motorcycle a total of 5 kg Ganja was recovered.



4. Learned counsel for the petitioner submits that the petitioner was driving the motorcycle and co-accused Saroj Kumar had taken the lift, who was the pillion rider and the seized bag, as a matter of fact belongs to the said Saroj Kumar. It is stated that the petitioner was not aware with regard to the contents of the said bag. Further, it has also been submitted that the FSL report of the said contraband has not been received and in the absence of the same, the charge sheet has been submitted in the case and cognizance has also been taken. It is also submitted that in any view of the matter, the Ganja recovered is little over small quantity but much less than the commercial quantity and hence, the rigors of section 37 of the NDPS Act would not be applicable in the present case. The petitioner is in custody since 22.11.2024 and has no criminal history.

5. The learned APP opposes the prayer for bail.

6. Considering the facts and circumstances, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000 (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge IV, Supaul in connection with Ratanpura P.S. Case No. 77 of 2024, subject to the condition which is as follows:-

(i) One of the bailors shall be own/ close member of



the family of the petitioner.

(ii) The petitioner would appear on each and every date before the learned court below till framing of charge.

(Soni Shrivastava, J)

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