

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38663 of 2025

Arising Out of PS. Case No.-107 Year-2025 Thana- BHAGWAN BAZAR District- Saran

Vinod Rai @ Vinod Ray, Son of Late Tunai Rai @ Shiv Narayan Rai,
Resident of village - Ratanpura Objhatoli, PS- Bhagwan Bazar, District-
Saran Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate
Ms. Mili Kumari, Advocate
For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 25-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bhagwan Bazar P.S. Case No. 107 of 2025, registered for the alleged offence under Sections 20 and 22 of NDPS Act.

3. As per prosecution case, the petitioner was apprehended with 10 *puriyas* of smack weighing 8.05 grams.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person/possession of the petitioner and the recovery shown from the petitioner is planted. Moreover, recovery of 10 *puriyas* of



smack has been shown from the petitioner, but the weight has been taken along with wrapper and excluding the weight of wrapper in which smack has been wrapped, the weight might come below the small quantity. The learned counsel further submits that small quantity is 5 grams and commercial quantity is 250 grams. Therefore, recovery shown is much below the commercial quantity. The petitioner is physically disabled person. The petitioner is in custody since 03.03.2025 and charge sheet has been submitted. The petitioner is having antecedent of five cases and he is on bail in all such cases.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. The learned APP submits that the petitioner appears to be habitual offenders and is accused in two cases of similar nature.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the period of custody of the petitioner along with submission of charge sheet, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Saran at Chapra, in connection with Bhagwan Bazar P.S. Case No. 107 of 2025, subject to the conditions mentioned in Section 480 (3)



of BNSS and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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