

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36062 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- KHAJANCHI HAT District- Purnia

Pankaj Kumar @ Pankaj Ram S/o Ramanand Ram Resident of Prabhat Colony, Near Bhootnath Mandir, P.S.- K.Hat, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-06-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Special (NDPS) Case No. 88 of 2025 arising out of K. Hat P.S. Case No. 20 of 2025 instituted for the offences under Sections 8(c), 21(a) of the N.D.P.S. Act.

3. Prosecution case, in short, is that total 5 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 13.01.2025 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 not above the small quantity, and hence, the offence is bailable in nature and Section 37 of the N.D.P.S. Act is also not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

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 not more than small 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 Special (NDPS) Case No. 88 of 2025 arising out of K. Hat P.S. Case No. 20 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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