

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33147 of 2025

Arising Out of PS. Case No.-646 Year-2024 Thana- NAGAR District- Vaishali

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Pappu Kumar S/O- Shivjee Paswan Resident of Village- Hela Bazar, P.S.-
Town, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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

ORAL ORDER

2 19-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Town
P.S. Case No. 646 of 2024 instituted for the offences under
Sections 8(c), 21(c), 22, 29 of the NDPS Act.

3. Prosecution allegation, in short, is that total 432.990
grams of smack has been recovered from the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 26.08.2024 and
has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. Learned
counsel further submitted that no incriminating article has been



recovered from the conscious possession of the petitioner. Learned counsel further submitted that the recovery has been made from the bus and the petitioner is neither the owner nor the driver of the said bus.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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