

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36647 of 2025

Arising Out of PS. Case No.-418 Year-2024 Thana- SONBERSA District- Sitamarhi

ANIL RAM S/o Bindeshwar Ram @ Bindeshwar Mahra R/o Village/
Mohalla- Sukanaha, Ward no. 15, P.S.- Sukanaha, District- Sarlahi (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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

ORAL ORDER

3 18-08-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in NDPS GR Case No.
118 of 2024, arising out of Sonbarsa PS Case No. 418 of 2024
instituted for the offences under Sections 8, 30(b)(II)(B) of the
NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 3 Kg ganja from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner further submits that petitioner has no concern with



the recovered contraband. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 22-12-2024 and has got no criminal antecedent. 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, recovery below commercial quantity and 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.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with NDPS GR Case No. 118 of 2024, arising out of Sonbarsa PS Case No. 418 of 2024, subject to the following conditions:

(I) One of the bailors shall be the deponent of the bail application, namely, Gita Devi.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the



bail bonds of the petitioner.

(III) The petitioner shall not leave the territorial jurisdiction of the court below without its prior permission.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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