

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41778 of 2025

Arising Out of PS. Case No.-687 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

Ankit Kumar S/o Late Basant Kumar @ Basant Kumar R/o Village-
Binodpur, Ward no 13, PS- Singhoul, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

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

ORAL ORDER

4 29-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with NDPS
Case No. 73 of 2024, Town P.S. Case No. 687 of 2024 instituted
for the offences under Sections 8, 20(b)(ii)(c) of the N.D.P.S.
Act.

3. Prosecution case, in short, is that total 7.29 kg.
ganja, 7.77 kg. mixture of *ganja* and tobacco, and 1.88 kg. *danti*
of *ganja* 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 28.12.2024 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. Petitioner has no concern with the alleged recovery. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. The co-accused person has already been granted bail by this Court vide order dated 11.08.2025 passed in Cr. Misc. No. 51253 of 2025.

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 less than the commercial quantity, claim based on parity 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with NDPS Case No. 73
of 2024, Town P.S. Case No. 687 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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