

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37973 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- LADANIA District- Madhubani

Girdhari Kumar Kamat@ Giridhari Kumar Kamat S/o- Dilip Kamat Resident
of village- Khajediha Dalokhar PS-Ladaniya District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 23-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ladaniya P.S. case No. 53 of 2025 instituted for the offences
under Sections 20/22 of the N.D.P.S. Act.

3. As per prosecution case, the petitioner was
apprehended by the SSB 18th BN, Rajnagar at Indo-Nepal
border while he was carrying a polythene containing 9 grams of
smack.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
petitioner is in custody since 20.02.2025 and has no criminal
antecedent. There is no allegation of tampering of witnesses
alleged against the petitioner. Nothing incriminating material
has been recovered from the conscious possession of the



petitioner. The recovered contraband is just above the small quantity but much below the 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.

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, clean antecedent, the period of custody undergone by the petitioner as also the seized contraband much below the commercial quantity, 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 Ladaniya P.S. case No. 53 of 2025.

(Rudra Prakash Mishra, J)

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