

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36287 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Begusarai

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Rohit Kumar S/O Radhe Shyam Yadav R/O Village- Chandour, Ward No. 10,
P.S- Saur Bazar, Distt.- Saharsa.

... .. Petitioner/s

Versus

The Union of India, through the Narcotics Control Bureau, Patna Unit.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prabhat, Advocate
For the Opposite Party/s : Mr. Arvind Kumar, CGC

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**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.

2. The petitioner seeks bail in connection with NDPS
Special Case No. 59 of 2024, arising out of NCB (Cr.) Case No.
11 of 2024 instituted for the offences under Sections 8(c), 20(b)
(ii)(c), 25 & 29 of the NDPS Act.

3. Prosecution allegation, in short, is that there is recovery
of 90 Kgs of ganja was recovered from a Bolero Car wherein six
accused were sitting, including 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 26-10-2024 and
has got no criminal antecedent. Charge-sheet has been submitted



in this case. There is no allegation of tampering of witnesses alleged against the petitioner. Learned counsel further submits that petitioner has become victim of the circumstance. Nothing has been recovered from the possession of the petitioner.

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*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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