

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40883 of 2025**

Arising Out of PS. Case No.-38 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Abhimanyu Singh @ Kun Kun @ Kunkun Singh S/O Deen Dayal Singh R/O  
Village- Paithainpur, P.S- Ara, Muffasil, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajendra Nath Sinha, Advocate  
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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

ORAL ORDER

2      30-06-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Udwant  
Nagar (Gajrajganj) P.S. Case No. 38 of 2025 instituted for the  
offences punishable under Sections 20(b)(ii)(c), 25, 27(a) and  
29 of the NDPS Act.

3. Prosecution allegation, in short, is that there is  
recovery of 30.500 Kg ganja from a car.

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 the petitioner has got no  
concern with the alleged recovery of ganja. The petitioner was



not arrested on the spot. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. he petitioner is in custody since 24.01.2025 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. Learned APP submits that the petitioner being party to the criminal conspiracy, as also the recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the NDPS Act.

6. Considering the aforesaid facts and circumstances of the case, recovery above the commercial quantity and the petitioner being party to the criminal conspiracy, this Court is not inclined to grant bail to the petitioner.

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

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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