

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41969 of 2025**

Arising Out of PS. Case No.-45 Year-2025 Thana- BUXAR INDUSTRIAL District- Buxar

Prince Kumar Singh @ Prince Kumar S/O Vinay Singh @ Vinay Kumar
Singh Resident of Village- Sitab Diyara, P.S- Rivilganj ,Dist-Saran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

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

ORAL ORDER

3 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Buxar
(Industrial) P.S. Case No. 45 of 2025, instituted for the offences
punishable under Sections 8(c), 20(b)(ii)(B), 22, 27 and 29 of
the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 12.480 Kg of Ganja from the car 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 also submits that the petitioner has got no concern
with the alleged recovery of Ganja. Petitioner is not the owner
of the car, rather he is driver of the car in question. 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 28.02.2025 and has got one criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 16.06.2025 passed in Cr. Misc. No. 36178 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, the recovered contraband being below the 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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Buxar (Industrial) P.S. Case No. 45 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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