

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39696 of 2025**

Arising Out of PS. Case No.-260 Year-2025 Thana- SASARAM NAGAR District- Rohtas

Krishna Paswan Son of Late Ramraj Paswan Resident of Village- Chenari  
(Chenari Dih), P.S- Chenari, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vijay Kumar Dubey Son of Late Sardev Dubey Resident of Village-  
Dhanauti, P.S- Ekma, Dist- Chhapra, at present posted as police Sub  
Inspector, Sasaram Town Police station, Dist- Rohtas

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate  
For the Opposite Party/s : Mr. Shailendra Kumar, APP

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

ORAL ORDER

2      01-07-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Sasaram (Town) P.S. Case No. 260 of 2025, instituted for the  
offences punishable under Sections 8(c), 20(b)IIB and 22(B) of  
the NDPS Act.

3. Prosecution allegation, in short, is that there is  
recovery of 09 Kg of Ganja from the co-accused, namely,  
Satyendra Pandey who disclosed that the petitioner also deals in  
Ganja.

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 was not present at the place of occurrence and no any recovery of Ganja has been made from the possession of the petitioner. It is further submitted that name of the petitioner has transpired on the basis of co-accused, namely, Satyendra Pandey. There is recovery of Rs. 2000/- from the possession of the petitioner. It is next submitted that separate seizure list has been made in this case. 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 04.04.2025 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.

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 Sasaram (Town) P.S.  
Case No. 260 of 2025.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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