

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40424 of 2025

Arising Out of PS. Case No.-66 Year-2025 Thana- DESARI District- Vaishali

Vikram Kumar S/o Manoj Singh Mohalla- Desari, P.S. - Desari, District-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 03-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Desari
P.S. Case No. 66 of 2025 instituted for the offences under
Sections 8(c), 21(b), 29 of the N.D.P.S. Act.

3. Prosecution case, in short, is that total 111.11 grams
of smack has been recovered in this case.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. Petitioner is in
custody since 26.02.2025 and has no criminal antecedent. There
is no allegation of tampering of witnesses alleged against the
petitioner. No incriminating material has been recovered from
the conscious possession of the petitioner. The recovered
contraband is below 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. He further submits that the co-accused Aniket Raj @ Ankit Raj has already been granted bail by this Court vide order dated 16.06.2025 passed in Cr. Misc. No. 36051 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 less than commercial quantity, the period of custody undergone by the petitioner, the petitioner having no criminal antecedent as also the prayer for bail being based on parity, 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 Desari P.S. Case No. 66 of 2025.

(Rudra Prakash Mishra, J)

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