

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40928 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- BARAUNI District- Begusarai

Abhishek Kumar @ Bhanu Son of Ram Kuma Ray Resident of Village-
Papraur, P.S.- Barauni, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with NDPS
Case No. 15 of 2025, arising out of Barauni (Zeromile) PS Case
No. 64 of 2025 instituted for the offences under Sections 20 &
22 of the NDPS Act.

3. The prosecution case is that on 15.04.2025, during
evening patrolling, police received confidential information
about drug and liquor sale at Bihat Halt. Four co-accused,
including the petitioner, were apprehended with heroin-like
substances total weighing 53.820 grams and other items



including mobile phones and a motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that petitioner has no concern with the recovered contraband. 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 16-04-2025 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, recovery below 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 NDPS Case No. 15



of 2025, arising out of Barauni (Zeromile) PS Case No. 64 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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