

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45583 of 2025

Arising Out of PS. Case No.-40 Year-2024 Thana- NIMACHANDPURA District- Begusarai

Ram Charan Kumar S/o Koko Tanti Resident of vill- Mohanpur, P.S-
Muffasil, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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

ORAL ORDER

2 04-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Nima Chandpura P.S. Case No. 40 of 2024, registered under
Sections 413, 414, 34 of the Indian Penal Code, read with
Section 30(a) of the Bihar Prohibition and Excise Act, Sections
8, 20(kh) of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 5 liters country made liquor and 300 gram Ganja
from the possession of co-accused, namely, Ritesh Kumar.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel for the petitioner also submits that



no recovery of either liquor or Ganja has been made from the possession of the petitioner. The alleged recovery has been made from the possession of co-accused, namely, Ritesh Kumar. It is further submitted that the petitioner has got no concern with the recovered motorcycles in question. The recovered contraband is below the small quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner has got one criminal antecedent in which he is on bail. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act as also there is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nima



Chandpura P.S. Case No. 40 of 2024, subject to the conditions
as laid down under Section 482(2) of the Bharatiya Nagarik
Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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