

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40685 of 2025**

Arising Out of PS. Case No.-907 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

Dinesh Singh son of Prabhansh Singh village- Sadha Newaji Tola Ps-
Muffasil, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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

ORAL ORDER

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

2. Earlier the anticipatory bail of the petitioner was
rejected vide order dated 01.05.2024 passed in Cr. Misc. No.
25136 of 2024 (Annexure- 1).

3. The petitioner seeks bail in connection with
Muffassil P.S. Case No. 907 of 2023, instituted for the offences
punishable under Sections 8 and 20(b)(ii)(B) of the NDPS Act.

4. Prosecution allegation, in short, is that total 5.250
Kg Ganja was recovered out of which 2.530 Kg Ganja was
recovered from the room of the petitioner.



5. 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. It is further submitted that as per FIR, there is recovery of total 5.250 Kg of Ganja out of which 2.530 Kg was recovered from the room of the petitioner and for which separate seizure list was prepared. 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 15.04.2025 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. 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.

8. 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 Muffassil P.S. Case
No. 907 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

