

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44533 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- Bahera District- Gaya

Umesh Yadav Son of Rajo Yadav Resident of village - Panchu Bigha, P.S.-
Mohanpur, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar Barnwal, Adv.

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

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

ORAL ORDER

4 16-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bahera
P.S. case No. 37 of 2025 instituted for the offences under
Sections 8/17(c)/18(c) of the N.D.P.S. Act.

3. As per prosecution case, the police has recovered
total 66.980 Kilogram of Doda from the truck. The petitioner
was arrested on the spot.

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. The petitioner is
the driver of the alleged truck. Petitioner is in custody since
18.03.2025 and has no criminal antecedent. Charge-sheet has



been submitted in this case. 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. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. There is also non-compliance of Section 103 of the B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP submits that the recovered contraband is above the commercial quantity and, hence, there is bar under Section 37 of the N.D.P.S. Act

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer for bail of the petitioner is hereby rejected.

(Rudra Prakash Mishra, J)

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