

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44694 of 2025

Arising Out of PS. Case No.-201 Year-2025 Thana- KUDRA District- Kaimur (Bhabua)

Vishal Kumar S/o Birendra Singh Resident of village- Miriya (Miriyan), PS-Sonhan (Bhabua), District- Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajendra Das, Police Sub Inspector, Kudra P.S., Distt.- Kaimur at Bhabua Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Kudra P.S. case No. 201 of 2025 instituted for the offences under Sections 8(c), 20(b), 29 of the N.D.P.S. Act, 1985.

3. As per prosecution case, the police has recovered 03.068 Kg of Ganja from the possession of the co-accused Shivam Singh.

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 with a view to harass the petitioner. Petitioner is in custody since 09.05.2025



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 petitioner has been implicated in this case on the ground that the petitioner has received Rs. 25,000/- from the co-accused Pintu Singh. 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.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He further submits that the prayer for bail of the co-accused Shivam Singh has already been rejected by a Co-ordinate Bench of this Court vide order dated 25.06.2025 passed in Cr. Misc. No. 38875 of 2025.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent, the quantity of alleged contraband being below the commercial quantity as also 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 Kudra P.S. case No.
201 of 2025.

(Rudra Prakash Mishra, J)

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