

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44344 of 2025

Arising Out of PS. Case No.-649 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

Satish Kumar S/O Krishna Ray @ Krishna Rai R/O Vill.- Sahpur (Shahpur-Masudanpur), P.s.- Ballia, Dist.- 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 : Ms. Asha Kumari, APP

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

ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Begusarai Town PS Case No. 649 of 2024 instituted for the
offences under Sections 8 & 20(b) of the NDPS Act.

3 Prosecution allegation, in short, is that the 190
grams ganja was recovered which was hidden in cigarette from
the possession of the petitioner.

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 and
charge is also framed by the court below. 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 and the same is planted. 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 is in custody since 07-12-2024 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 small 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 Begusarai Town PS Case No. 649 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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