

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45628 of 2025

Arising Out of PS. Case No.-1157 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Ram Pravesh Sahni S/O Late Lachhchhu Sahni @ Lachhchhu Sah @ Late
Lakshu Sah R/O Village- Jagdamba Nagar, Bairiya, P.S- Ahiyapur, Dist.-
Muzaffarpur, Mob No.- 732845623.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K., Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, 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 seeks bail in connection with
Ahiyapur P.S. Case No. 1157 of 2024 instituted for the offences
under Sections 8(c), 21(b), 25, 29 of the N.D.P.S. Act.

3. Prosecution case, in short, is that total 96.32 grams
of smack has been recovered in this case, out of which 31.87
grams of smack has been recovered from co-accused, Deepak
Ram.

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. Petitioner is in
custody since 26.08.2024 and has no criminal antecedent. There



is no allegation of tampering of witnesses alleged against this the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. 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. Other similarly situated co-accused person has been granted regular bail by this Court vide order dated 30-04-2025, passed in Cr. Misc. No. 29475 of 2025.

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, recovered contraband being less than commercial quantity as also the period of custody undergone by the petitioner and claim based on parity, 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 Ahiyapur P.S. Case No. 1157 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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