

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46025 of 2025

Arising Out of PS. Case No.-616 Year-2025 Thana- MAHUA District- Vaishali

=====

Saurabh Kumar S/O Vishundev Ray R/o Village- Mahua Singh Rai, P.S.-
Mahua, District- Vaishali(Bihari)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Advocate

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

=====

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

ORAL ORDER

2 24-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Mahua
P.S. Case No. 616 of 2025 instituted for the offences under
Sections 20(b),(ii)(B) of the N.D.P.S. Act.

3. Prosecution case, in short, is that 5.91 grams of
ganja and 7.56 grams of smack has been recovered in this case.

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 01.06.2025 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 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.

6. Considering the aforesaid facts and circumstances of the case, the recovered contraband being less than 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 Mahua P.S. Case No. 616 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

