

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48920 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- BARAUNI District- Begusarai

Prince Kumar S/o Suresh Singh Resident of Bihat Tola, Gurudaspur, PS-
Barauni, (FCI), District- Begusarai, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nausheen Fatma, Advocate

Mr. Akash Shankar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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

ORAL ORDER

3 25-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barauni
(Zeromile) P.S. Case No. 64 of 2025, instituted for the offences
punishable under Sections 20 and 22 of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 53.820 grams of heroin-like substance from the
possession of this petitioner along with other co-accused
persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner also submits that the petitioner has got no concern
with the alleged recovery of the contraband. The recovered



contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 16.04.2025 and has got one criminal antecedent in which he is on bail. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. It is further submitted that similarly situated co-accused has been granted regular bail by this Court vide order dated 09.07.2025 passed in Cr. Misc. No. 40928 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, the recovered contraband being below the commercial 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 Barauni (Zeromile) P.S. Case No. 64 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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