

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49533 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- Lalitgram District- Supaul

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Ganesh Kumar @ Ganesh Kumar Yadav S/o Binod Yadav R/o Village- Pulha,
Ward No. 10, P.S.- Narpatganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar, Adv.

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

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

ORAL ORDER

2 05-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Lalitgram P.S. case No. 19 of 2025 instituted for the offences
under Sections 8/20(b)(ii)(B) of the N.D.P.S. Act.

3. As per prosecution case, total 4 Kg *Ganja* kept in
two polythene bags (Polythene A - 2 Kg., Polythene B - 2 Kg.)
was recovered along with a black colour Pulsar motorcycle
bearing Regd. No. BR38AM5911.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
petitioner is the owner of the alleged Pulsar motorcycle.
Petitioner is in custody since 01.04.2025 and has no criminal



antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Nothing incriminating 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, clean antecedent as also taking into account 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 Lalitgram P.S. case No. 19 of 2025.

(Rudra Prakash Mishra, J)

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