

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49463 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- JAYNAGAR District- Madhubani

Uday Kumar S/o Sri Mahesh Kumar Yadav @ Mahesh Yadav Resident of
vill- Naya Tola Jurabganj, P.S- Korha, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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

ORAL ORDER

2 31-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with GR
(NDPS) Case No. 07 of 2025, arising out of Jaynagar PS Case
No. 22 of 2025 instituted for the offences under Sections 317(4),
317(5) & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and
Sections 8(c), 21(b), 21(c) & 22(c) of the NDPS Act.

3. Prosecution allegation, in short, is that total 20
grams brown sugar was recovered, out of which 10 grams from
petitioner and 10 grams from Mannu Yadav were recovered.



Additionally, a total of Rs. 21,500/- in cash (Rs.11,500/- from petitioner and Rs. 10,000/- from Mannu) and two mobile phones were also recovered.

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. 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. 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 25-01-2025 and has got two criminal antecedents. 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 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 GR (NDPS) Case
No. 07 of 2025, arising out of Jaynagar PS Case No. 22 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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