

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51997 of 2025

Arising Out of PS. Case No.-181 Year-2025 Thana- Marnga District- Purnia

=====

Suraj Kumar @ Rahul @ Rahul Kumar S/O Late Ramchandra Kamti R/O
Village- Kachahri Purnea, P.S- Madhubani, Distt.- Purnea. At present Newalal
Chowk, Shivnagar, P.S- Maranga, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Maranga P.S. Case No. 181 of 2025, registered for the offences under Sections 8(c), 21(b), 25, 29 of the N.D.P.S. Act.

3. As per the prosecution case, police received a tip off about co-accused Rahul Kumar Jha bringing smack in a car. Checking of vehicles was started and the identified car was signalled to stop. Three persons were found sitting in the said car and petitioner was the person sitting in the back seat of the car. On search of co-accused Rahul Kumar Jha, 102 gram of brown sugar was recovered. From this petitioner, recovery of a

mobile phone was made.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from person or possession of the petitioner who has taken lift in the car and sitting in the back seat of the car. Recovery of 102 gram of brown sugar has been shown from co-accused Rahul Kumar Jha and petitioner has no concern with the said co-accused. Moreover, from the petitioner recovery of only mobile phone has been shown. Even the recovered article has not been put to any test and the quantity of contraband is greater than the small quantity but less than the commercial quantity. The petitioner is in custody since 22.05.2025 and he has no criminal antecedent.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering recovery of less than commercial quantity of contraband shown from the coaccused and further considering doubtful nature of allegation against the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/-

(Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Special Judge (NDPS Act) Purnea/concerned court, in connection with Maranga P.S. Case No. 181 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

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