

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51235 of 2025

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

Sandeep Kumar S/O Late Deepak Singh R/O Village- Bihat Gurudaspur Tola,
Ward No. 11, P.S- Barauni (Zeromile), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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

ORAL ORDER

2 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) PS Case No. 64 of 2025 instituted for the
offences under Sections 20 & 22 of the NDPS Act.

3. The prosecution case is that on 15.04.2025, during
evening patrolling, police received confidential information
about drug and liquor sale at *Bihat* Halt. Four co-accused were
apprehended with heroin-like substances total weighing 53.820
grams and other items including mobile phones and a
motorcycle. It was disclosed by them that heroin was given by
the petitioner to them for the purpose of sale.

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 31-05-2025 and has got eleven criminal antecedents. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Other co-accused has been granted bail by this Court vide order dated 09-07-2025, passed in Cr. Misc. No. 41395 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, 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, ***after framing of charge, if not already framed***, 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) PS Case No. 64 of 2025,
subject to the following conditions:

(I) One of the bailors shall be own/close member of the
family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on two
consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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