

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55687 of 2025

Arising Out of PS. Case No.-179 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Vishwanath Ray S/o Pragas Ray @ Pragash Ray R/o vill - Bhanpur Barewa,
P.S.- Goraul, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha, Adv.

For the Opposite Party/s : Ms.Asha Devi, APP

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

ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Hajipur Sadar P.S. case No. 179 of 2025 instituted for the offences under Sections 8, 20(b)(ii)(c) of the N.D.P.S. Act.

3. As per prosecution case, the police has recovered total 30.100 Kgs. Ganja from the possession of the petitioner.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case. Petitioner is in custody since 04.03.2025 and has no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Nothing incriminating material has been recovered from the conscious possession of



the petitioner. There is no compliance of Section 42 and 50 of the N.D.P.S. Act. There is also non-compliance of Section 103 of the B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP submits that the recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Rudra Prakash Mishra, J)

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