

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52966 of 2025**

Arising Out of PS. Case No.-192 Year-2024 Thana- JOGBANI District- Araria

Sunil Yadav Son of Ganesh Yadav Village- Jatwa Tola W.No-14, Morang Ps-
Rani Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Archana Shahi, Sr. Advocate
Ms. Deeksha Singh, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

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

ORAL ORDER

3 09-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Jogbani
P.S. Case No. 192 of 2024, instituted for the offences punishable
under Sections 20(B)(ii)(c) of the NDPS Act.

3. Prosecution allegation, in short, is that there is recovery
of 114.500 Kg of ganja from the possession of petitioner along
with other co-accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has 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 the petitioner has got no concern with the alleged recovery of ganja. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 21.09.2024 and has got no criminal antecedent. 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. Learned A.P.P. submits that 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. The prayer is *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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