

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52125 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- East Champaran

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Ramesh Kumar S/o- Karicharan Sahani Village- Ladoura Ps- Tariyani Dist-
Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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**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 NCB PS
Case No. PZU/V/02 of 2025, NDPS GR Case No. 43 of 2025
instituted for the offences under Sections 8(c), 18(b) & 29 of the
NDPS Act.

3. Prosecution allegation, in short, is that there is recovery
of total 8 Kg opium from possession of the co-accused person,
including the petitioner, out of which 2 Kg opium was recovered
from the bag of the petitioner.

4. learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 22-03-2025 and



has got no criminal antecedent. Charge-sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. Learned counsel further submits that there is no compliance of Sections 42 and 50 of the NPDS Act. There is no compliance of Section 103 of the BNSS, 2023. It is submitted that from the bag of the petitioner, there is alleged recovery of 2 Kg opium.

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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