

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55084 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Begusarai

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Om Prakash @ Prakash Yadav @ Om Prakash Mehta S/o- Dev Narayan
Mehta Village- jagdishpur W.No-7, Ps- Karjain Dist- Supaul

... .. Petitioner/s

Versus

The Union of India through Jr. Intelligence officer, Narcotics Control Bureau,
Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bindeshwar Prasad Singh, Advocate
For the Opposite Party/s	:	Mr. Dr.Krishna Nandan Singh, ASG
	:	Mr. Manoj Kumar Singh, CGC
	:	Mr. Ankit Kumar Singh, JC
	:	Mr. Prabhat Kumar, Advocate
	:	Mr. Sanjay Kumar Singh, Advocate

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

ORAL ORDER

5 15-12-2025 Heard learned counsel for the petitioner and learned
counsel for NCB.

2. The petitioner seeks bail in connection with NCB
Case No. 11 of 2024, NDPS 59 of 2024 instituted for the
offences under Sections 8(c), 20(b), (ii)(c) and 29 of the NDPS
Act.

3. Prosecution allegation, in short, is that total 90
kilogram of ganja has been recovered from Mahindra Bolero
vehicle.

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 16.11.2024 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Learned counsel further submitted that the name of the petitioner has transpired in this case on the basis of confessional statement of the co-accused persons who were apprehended on the spot. There is no recovery of any incriminating article from the possession or from the house of the petitioner. Learned counsel further submitted that except confession, there is no material against the petitioner to show his involvement in the alleged offence.

5. Learned counsel for NCB has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel further submitted that the petitioner has confessed his guilt and disclosed that he was involved in trafficking of ganja and one mobile phone was also recovered from his possession in which the photograph of ganja packets was found and therefore, the involvement of the petitioner in the alleged offence cannot be discarded. Learned counsel for NCB further submitted 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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