

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58664 of 2025

Arising Out of PS. Case No.-131 Year-2025 Thana- SAHAR District- Bhojpur

Rahul Kumar @ Baja S/o Ranjeet Yadav Resident of village- Rananager, P.S.-
Kurtha, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate

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

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

ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Sahar
PS Case No. 131 of 2025 (NDPS Case No. 22 of 2025)
instituted for the offences under Sections 8(c), 21(b), 25 & 29 of
the NDPS Act.

3. Prosecution allegation, in short, is that police acting
on a tip off conducted a raid and apprehended the petitioner.
Upon search, there is recovery of 34.63 grams smack like
substance from the possession of the petitioner.

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 and he has become the victim of the circumstance. 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 30-06-2025 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.

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 on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sahar PS Case No. 131 of 2025 (NDPS Case No. 22 of 2025).

(Rudra Prakash Mishra, J)

Raj Kishore/-

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