

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62536 of 2025**

Arising Out of PS. Case No.-94 Year-2025 Thana- MURLIGANJ District- Madhepura

Abhay Ram S/O Dhirendra Ram R/O Village- Kolahai Patti, Ward No.- 03,  
P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Murliganj P.S. Case No. 94 of 2025, instituted for the offences punishable under Sections 8(c), 21(b) and 22 of the NDPS Act.

3. Prosecution allegation, in short, is that there is recovery of 25 gram of smack 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 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 smack. 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 10.03.2025 and has got two criminal antecedents in which he is on bail. 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, the recovered contraband being below the 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Murliganj P.S. Case No. 94 of 2025.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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