

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68891 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- ATHMALGOLA District- Patna

Naresh Rai S/O Meghan Rai Resident of Naya Tola Sabnima, P.S.-
Athmalgola, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

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

ORAL ORDER

2 25-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Athmal
Gola P.S. Case No. 80 of 2025 instituted for the offences under
Sections 20, 40 of the N.D.P.S. Act.

3. Prosecution case, in short, is that 42.50 kg of *ganja*
has been recovered in this case.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. Petitioner is in
custody since 07.05.2025 and has one criminal antecedent.



There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel further contended that police, on the basis of secret information arrested co-accused Navlesh Kumar and on his disclosure, total 42.51 kg of ganja was recovered near the railway track. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Navlesh Kumar. Petitioner has no concern with the alleged recovery. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. The co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 25.06.2025 passed in Cr. Misc. No. 38887 of 2025.

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, claim based on parity as also 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 Athmal Gola P.S.
Case No. 80 of 2025.

Alok Verma/-
(Rudra Prakash Mishra, J)

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