

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66578 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- JANKINAGAR District- Purnia

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Vishal Kumar Son of Shashi Paswan @ Shashi Kumar Paswan R/O Vill-
Madhuban Ward No. 1, P.S.- Janki Nagar, Distrcit- Purnea, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

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

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

ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Janki
Nagar PS Case No. 05 of 2025 instituted for the offences under
Sections 8(c) & 21(b) of the NDPS Act.

3. The police received secret information that
petitioner was selling Smack/Brown Sugar at village Madhuban.
A raiding party with a Magistrate raided his house, apprehended
him, and recovered 11.5 grams of Smack/Brown Sugar.

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. 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 05-01-2025 and has got one criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Other co-accused has been granted bail by this Court vide order dated 19-05-2025, passed in Cr. Misc. No. 29306 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, 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 Janki Nagar PS



Case No. 05 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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