

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68653 of 2025

Arising Out of PS. Case No.-150 Year-2024 Thana- ADAPUR District- East Champaran

Babulal Kumar @ Babulal Mahto @ Babulal Mahato S/o Hargain Mahto R/o
vill- Nautan, Ps- Sangrampur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

**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
N.D.P.S. Case No. 60 of 2024 arising out of Aadapur P.S. case
No. 150 of 2024 instituted for the offences under Sections 8,
20(b)(ii)(c), 23(c) of the N.D.P.S. Act.

3. As per prosecution case, the police has recovered 23
Kg. of Ganja from the possession of the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case. Petitioner is in custody since 05.05.2024 and has
no criminal antecedent. Nothing incriminating has been
recovered from the conscious possession of the petitioner.



There is no compliance of Section 42 and 50 of the N.D.P.S. Act. There is also non-compliance of Section 103 of the B.N.S.S. He further submits that the charge-sheet has been submitted and the charges have also been framed in this case against the petitioner and the case is running at the stage of evidence.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP submits that the 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)

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