

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66554 of 2025

Arising Out of PS. Case No.-137 Year-2025 Thana- ADAPUR District- East Champaran

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Vinod Paswan @ Binod Paswan S/O Jhapas Paswan R/O Village-
Bharthamahi, P.S- Haraiya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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

ORAL ORDER

2 12-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Adapur
P.S. Case No. 137 of 2025 instituted for the offences under
Sections 8, 20(b),(ii)(c)m 23(c) of the N.D.P.S. Act.

3. Prosecution case, in short, is that total 1.860 kg
charas 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 14.04.2025 and has no 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 submitted that as per FIR, the recovered contraband is more than commercial quantity, however, the petitioner is in no way connected with the aforesaid recovery. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State vehemently opposed the prayer of bail to the petitioner stating that 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)

Alok Verma/-

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