

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68465 of 2025

Arising Out of PS. Case No.-71 Year-2025 Thana- SIKTA District- West Champaran

Tarun Kumar S/o Manoj Patel R/o Village- Purainiya, P.S.- Balthar, District-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate

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

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

ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sikta
P.S. Case No. 71 of 2025, instituted for the offences punishable
under Sections 20(b)(ii)(c), 23(c) and 29 of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of total recovery of 25.084 Kg of charas out of which
14.403 Kg charas has been recovered 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. 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 charas. The petitioner is in custody since 24.05.2025 and has got no criminal antecedent. 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 and submits that the petitioner being party to the criminal conspiracy, as also the recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act. It is further submitted that the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act as also the petitioner being party to the criminal conspiracy, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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