

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75517 of 2025

Arising Out of PS. Case No.-1050 Year-2025 Thana- PHULWARISHARIF District- Patna

Md. Mansur S/o Md. Azad R/o Sahebgunj Dewariya, P.S.- Sabebgunj,
District- Muzaffarpur, A/P- Chunauti Kuan, P.S.- Phulwarisharif, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Faiz Naseem, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

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

ORAL ORDER

2 11-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Phulwarisharif PS Case No. 1050 of 2025 instituted for the
offences under Sections 8 & 20(b)(ii)(B) of the NDPS Act.

3. The prosecution case, in brief, is that on
29.06.2025, during patrolling, police received information about
ganja being sold near *Chunauti Kuan* Old Post Office. A raid
was conducted and petitioner was apprehended and on search,
1080 grams of ganja along with cash of Rs. 4516/- was
recovered from the shop.

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 30.06.2025 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.

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 Phulwarisharif PS Case No. 1050 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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