

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68771 of 2025

Arising Out of PS. Case No.-56 Year-2025 Thana- Garahara District- Begusarai

Gopal Kumar S/o- Niranjan Chaudhary R/v- Hajipur W.No-6, Ps- Barauni
Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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

ORAL ORDER

2 25-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners seek bail in connection with Garhara
P.S. case No. 56 of 2025 instituted for the offences under
Sections 8, 21(b), 25 & 29 of the N.D.P.S. Act.

3. As per prosecution case, the police has recovered
total 20.69 gram of Brown Sugar like substance from the hut.
The co-accused Ranjit Kumar was arrested on the spot.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
petitioner was neither apprehended on the spot nor anything
incriminating has been recovered from his conscious possession.
The name of the petitioner has surfaced in this case on the basis
of the disclosures made by the apprehended co-accused Ranjit



Kumar. Petitioner is in custody since 23.07.2025 and has three criminal antecedents. The petitioner has no concern either with the alleged recovery of the contraband or the co-accused persons. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. 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, the period of custody undergone by the petitioner as also the recovery of contraband being below the commercial quantity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Garhara P.S. case No. 56 of 2025.

(Rudra Prakash Mishra, J)

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