

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70604 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- Roshna District- Katihar

Shridhar Mandal S/O Vasudeo Mandal R/o- Vill- Bihpur, P.s.- Bihpur, Dist.-
Bhagalpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vishal Vikram Rana, Adv. Ms. Misha Bharti, Adv. Mr. Akash Priye, Adv. Mr. Anurag Darshi, Adv. Mr. Kumar Saurav Dev, Adv.
For the Opposite Party/s :		Mr.Md. Nazir Ansari, APP

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

ORAL ORDER

3 13-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Roshna
P.S. case No. 42 of 2025 instituted for the offences under
Sections 8(c), 21(b), 22(b) of the N.D.P.S. Act.

3. As per prosecution case, the police has recovered 54
grams of smack and a mobile from the possession of the
petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
alleged tempo does not belong to the petitioner. Petitioner is in
custody since 22.05.2025 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. 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, clean antecedent, the period of custody undergone by the petitioner as also taking into account the quantity of the 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.15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Roshna P.S. case No. 42 of 2025.

(Rudra Prakash Mishra, J)

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