

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72917 of 2025

Arising Out of PS. Case No.-329 Year-2025 Thana- CHAPRA TOWN District- Saran

Chandan kumar Singh S/o Late Krishna Prasad R/o Mohalla - Ghandhi
Chowk, P.S.- Chapra Town, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umanath Mishra, APP

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

ORAL ORDER

2 30-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Chapra
Town P.S. Case No. 329 of 2025, instituted for the offences
punishable under Sections 21(b) and 22 of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of total 28.800 gm of smack from the possession of the
petitioner and other co-accused person.

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 smack. The petitioner has been arrested on the basis of suspicion. 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 12.06.2025 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, the recovered contraband being below the 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chapra Town P.S. Case No. 329 of 2025.

(Rudra Prakash Mishra, J)

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