

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72800 of 2025**

Arising Out of PS. Case No.-125 Year-2025 Thana- KARJA District- Muzaffarpur

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Raja Babu Kumar S/o Late Ravindra Patel R/o vill - Pahar Chowk, P.S.-
Motipur, Distt.- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh, Advocate

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

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

ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Karja
P.S. Case No. 125 of 2025 instituted for the offences under
Sections 317(5) of the Bharatiya Nyaya Sanhita, 2023 and
8(c), 21(b) of the N.D.P.S. Act.

3. Prosecution case, in short, is that total 11.850 grams
of smack like substance has been recovered in this case.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Charge-sheet has been submitted in this case. Petitioner is in custody since 18.05.2025 and has three criminal antecedents but he is on bail in all those cases. 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 rather the recovery has been made from the motorcycle. Petitioner is not the owner of the vehicle in question. Petitioner has no concern with the alleged recovery. 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, recovered contraband being less than the commercial quantity as also 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 Karja P.S. Case No.
125 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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