

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73356 of 2025

Arising Out of PS. Case No.-199 Year-2025 Thana- KESARIA District- East Champaran

Akhilesh Ram @ Master @ Sir Jee @ Mastar S/o Jogi Ram R/o Village -
Dhrfari, P.S - Dewaria, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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

ORAL ORDER

2 01-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Keshriya P.S. Case No. 199 of 2025, instituted for the offences punishable under Sections 317(4), 317(5), 111 of the Bharatiya Nyaya Sanhita, 2023, read with Sections 20, 22 and 23 of the NDPS Act.

3. Prosecution allegation, in short, is that there is recovery of 1020 grams of charas at the instance of the petitioner.

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 charas. It is further submitted that no recovery has been made from the possession of the petitioner. The petitioner is in custody since 25.05.2025 and has got nine criminal antecedents. 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. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act and the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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