

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75668 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- HARPUR District- East Champaran

Kamaljeet Paswan S/O Mahanth Paswan Resident of Village-Yadopur, Police
Station-Harsidhi, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with NDPS
Case No. 106 of 2025, arising out of Harpur PS Case No. 10 of
2025 instituted for the offences under Sections 8, 20(b)(ii)(c),
23(c), 25 & 29 of the NDPS Act.

3. Prosecution allegation, in short, is that on 16.01.2025,
during patrolling at Chikni Chowk, police intercepted a white
Hyundai car (DL3CBP6160) coming from Raxaul and arrested
three persons — Ankit Kumar, Kamaljeet Kumar (petitioner)
and Ritu Kumar. On search, seven packets containing 28.30 kg
of Ganja were recovered from the vehicle.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. The petitioner is in custody since 17.01.2025 and has got no criminal antecedent. Charge-sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. Learned counsel further submits that there is no compliance of Sections 42 and 50 of the NDPS 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. Bail of similarly situated co-accused has been rejected by a Co-ordinate Bench of this Court vide order dated 15.05.2025, passed in Cr. Misc. No. 31080 of 2025.

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*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and



unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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