

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80307 of 2025

Arising Out of PS. Case No.-799 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

Kamini Kumari Daughter of Puran Sahni Resident of village - Vijay Chhapara, P.S.- Ahiyapur, District - Muzaffarpur, Bihar.

... .. 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.Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 02-12-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with N.D.P.S Case No. 111 of 2025, arising out of Ahiyapur P.S. Case No. 799 of 2025, instituted for the offences under Sections 8/21(b), 25, 29 of the N.D.P.S Act.

3. Prosecution case, in short, is that 43 packets of smack like substance weighing 14.18 grams along with Rs. 8536/- has been recovered in this case.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is in custody since 10.06.2025 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. 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 N.D.P.S Case No. 111 of 2025, arising out of Ahiyapur P.S. Case No. 799 of 2025.

(Rudra Prakash Mishra, J)

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