

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79727 of 2025

Arising Out of PS. Case No.-136 Year-2025 Thana- SAHIYARA District- Sitamarhi

Vinod Kumar Son of Late Ramdular Ray R/o Village - Phulhatta, P.S. - Bela,
District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam. A.P.P.

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

ORAL ORDER

2 01-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sahiyara P.S. Case No.
136 of 2025, instituted for the offences under Sections 8,20(B)
(ii)(C) of the NDPS Act.

3. Prosecution allegation, in short, is that the 33.5 Kg
of Ganja has been recovered in this case.

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 29.07.2025 and
has got one criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. Learned
counsel further submits in fact, police vehicle dash the
motorcycle of the petitioner and when petitioner raised



objection then Police personnel implicated the petitioner in this case.

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.

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. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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