

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.89246 of 2024**

Arising Out of PS. Case No.-515 Year-2024 Thana- BUXAR District- Buxar

Vishwakarma Varma Son of Kanhaiya Verma @ Kanhiya Barma Resident of  
Village- Santi Nagar, P.S- Buxar (Town), in the district of Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar, Advocate  
For the Opposite Party/s : Ms. Rina Sinha, APP

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

ORAL ORDER

3      17-01-2025      Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with Buxar  
(Town) P.S. Case No. 515 of 2024 instituted for the offences  
under Sections 21(b), 29 of the N.D.P.S. Act.

3.      Prosecution case, in short, is that 15.94 gram of  
heroin 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 25.09.2024 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.



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. Other co-accused has been granted regular bail by this Court *vide* order dated 05-12-2024, passed in Cr. Misc. No. 81905 of 2024.

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 and the recovered contraband being less than 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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Buxar (Town) P.S. Case No. 515 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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