

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87393 of 2024

Arising Out of PS. Case No.-467 Year-2024 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Suranjit Kumar @ Sumit Kumar @ Suranjeet Kumar @ Saranjit Kumar S/O
Kamal Kishor Yadav R/O Village- Bhaura, P.S- Simri Bakhtiyarpur, Dist-
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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

ORAL ORDER

3 07-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Simri
Bakhtiyarpur P.S. Case No. 467 of 2024 instituted for the
offences under Sections 8(c), 21(b) of the N.D.P.S. Act.

3. Prosecution case, in short, is that 51.31 grams
smack like substance 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 14.10.2024 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



rather the recovery has been made from the co-accused Md. Shahid Alam who has already been granted bail by this Court vide order dated 04.02.2025 passed in Cr. Misc. No. 4387 of 2025. 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, recovery of the 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 Simri Bakhtiyarpur P.S. Case No. 467 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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