

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86208 of 2024

Arising Out of PS. Case No.-229 Year-2024 Thana- PIRO District- Bhojpur

Sonu Kumar S/o Awdhesh Singh R/o Village- Darshan Chapra, Ps-
Udwananagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

4 27-03-2025 Heard Mr. Binod Kumar Sinha, learned counsel for
the petitioner and Mr. Choubey Jawahar, learned APP for the
State.

2. The petitioner seeks bail in Piro (Hasan Bazar) P.S.
Case No. 229 of 2024, NDSL 21 of 2024 instituted for the
offences under Sections 20(B) ii (c), 29 of the NDPS Act.

3. Prosecution allegation, in short, is that total 40.380
Kg. ganja like substance has been recovered from the bus.

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 09.06.2024 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 petitioner was only travelling from the bus and he has got no concern with the alleged recovery. There is no compliance of Section 42 and 50 of the NDPS Act as also of Section 100 of the Cr.P.C.

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. Learned APP further submitted that the prayer for bail of the co-accused person has already been rejected by this Court vide order dated 05.12.2024 passed in Cr. Misc. No. 69631 of 2024.

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 as also the petitioner being a party to the criminal conspiracy, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

