

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3941 of 2025

Arising Out of PS. Case No.-250 Year-2024 Thana- SANGRAMPUR District- East
Champaran

=====

Baleshwar Kumar S/o- Late Ram Chandra Das @ Ram Chandra Das Village -
Bhawanipur, Chaudhur Tola, P.O.- Thikhan, P.S. - Sangrampur, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

=====

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

ORAL ORDER

2 30-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with NDPS
GR Case No. 86 of 2024 arising out of Sangrampur PS Case No.
250 of 2024 instituted for the offences under Sections 8, 20(b)
(ii)(B) of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 5 kg ganja from motorcycle, which belongs to one
Arvind Kumar.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that petitioner has no concern with the recovered contraband. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 04-10-2024 and has got no criminal antecedent. 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 below commercial quantity and 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 NDPS GR Case No. 86 of 2024 arising out of Sangrampur PS Case No. 250 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

