

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85207 of 2025

Arising Out of PS. Case No.-147 Year-2025 Thana- KRITYANAND NAGAR District-
Purnia

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Md. Arju Alam @ Arju @ Arju Alam S/o Anjar @ Anjar Alam @ Chunnu R/o
Vill- Rangpura, P.s.- Mirganj, Distt- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, A.P.P.

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with K.
Nagar PS Case No. 147 of 2025 instituted for the offences under
Sections 8(c) & 21(b) of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 40.35 grams brown sugar from the possession of co-
accused.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present 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 other co-accused has been granted bail by this Court on 20.08.2025 passed in Criminal Miscellaneous No. 56116 of 2025. The petitioner is in custody since 17.09.2025 and has got one 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.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with K. Nagar PS Case No. 147 of 2025.

(Rudra Prakash Mishra, J)

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