

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.639 of 2025

Arising Out of PS. Case No.-646 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Aakash Kumar Singh @ Akash Kumar Singh Son of Vijay Kumar Singh R/o
Village- Naini, P.S.- Mufassil, District- Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan Kumar Sandilya, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

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

ORAL ORDER

2 20-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Chapra
Mufassil PS Case No. 646 of 2024 instituted for the offences
under Sections 21(B) & 22 of the NDPS Act.

3. Prosecution allegation, in short, is that 8.21 gram
smack has been recovered from the possession of the petitioner.

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 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 28-10-2024 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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chapra Mufassil PS Case No. 646 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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