

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33619 of 2026

Arising Out of PS. Case No.-41 Year-2026 Thana- SARSI District- Purnia

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Ravi Goswami S/o Late Kumod Goswami R/o Village - Sarsi, P. S.- Sarsi,
District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE UNION OF INDIA (through the Director Narcotic and Anti Smuggling, Govt. of India New Delhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey, Advocate
For the Opposite Party/s : Mrs. Nirmala Kumari, APP

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

ORAL ORDER

3 15-07-2026 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Sarsi
P.S. Case No. 41 of 2026, instituted for the offences punishable
under Sections 8(c) and 21(b) of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 54.84 gram of smack 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. Charge-sheet has 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 the petitioner has got no concern with the alleged recovery of smack. 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 11.03.2026 and has got two criminal antecedents. 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, the recovered contraband being below the 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 ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sarsi P.S. Case No. 41 of 2026, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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