

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62568 of 2025

Arising Out of PS. Case No.-536 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

Ashish Kumar @ Ravi S/o Vijay Mandal @ Vijay Kumar Resident of Village-
Narma, P.S- Rampur Hari, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumod Kumar Shrivastaw

For the Opposite Party/s : Mr.Nand Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 19-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Ahiyapur P.S. Case No. 536 of 2025, instituted for the offences punishable under Section 317(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 8(c), 21(b), 8, 20(B)IIA of the NDPS Act.

3. Prosecution allegation, in short, is that there is recovery of total 29.83 gram smack and 661.18 gram ganja in this case and the petitioner was apprehended on spot along with other co-accused persons.

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 the petitioner has got no concern with the alleged recovery of the 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 18.04.2025 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. The co-accused from whose possession, the recovered contraband is in more quantity than the petitioner, has been granted bail by a co-ordinate bench of this court.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the fact that the recovered contraband is below the commercial quantity and the petitioner has remained in custody for about nine months as also the fact that the case of this petitioner stands on better footing to that of the co-accused who have been granted bail by a coordinate bench of this court, the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special



Judge, Exclusive Special Court-1 (N.D.P.S.) Civil Court,
Muzaffarpur in connection with Ahiyapur P.S. Case No. 536 of
2025.

(Nawneet Kumar Pandey, J)

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