

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77750 of 2025

Arising Out of PS. Case No.-116 Year-2025 Thana- BALIA BELON District- Katihar

Suraj Kumar S/O Sadanand Mandal R/O-Chhotai Tola, P.S.- Rupauli, Dist.-
Purnea, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vishal Vikram Rana, Advocate Ms. Misha Bharti, Advocate Mr. Akash Priye, Advocate Mr. Anurag Darshi, Advocate Mr. Kumar Saurav Dev, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar Roy, APP

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

ORAL ORDER

3 04-02-2026 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Balia Belon P.S. Case No. 116 of 2025, instituted for the offences punishable under Sections 8, 20(b)(ii)(B) and 25 of the NDPS Act.

3. Prosecution allegation, in short, is that there is recovery of 12.635 Kg of Ganja from a car in which the petitioner along with other co-accused persons were travelling.

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 submitted that the petitioner has got no concern with the alleged recovery of Ganja. 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 26.07.2025 and has got one criminal antecedent and the same has been disposed of by the Juvenile Justice Board. 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 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 Balia Belon P.S. Case No. 116 of 2025, 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 prosecution will have liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Rajorshi/-

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