

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88307 of 2025

Arising Out of PS. Case No.-239 Year-2025 Thana- SALIMPUR District- Patna

Abdhesh Kumar @ Awadhesh Kumar S/O Naresh Ray R/O Vill.- Pakki
Dargah, P.S.- Nadi, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Kumar Rajdeep, Advocate Mr. Arvind Kumar, Advocate
For the Opposite Party/s :		Mr. Abhay Kumar Roy, APP

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

ORAL ORDER

2 12-01-2026 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Salimpur P.S. Case No. 239 of 2025 instituted for the offences
under Sections 20(b)(ii)(c), 22(c) of the N.D.P.S. Act.

3. Prosecution case, in short, is that total 15.4 kilogram
of ganja has been recovered from the motorcycle.

4. Learned senior counsel for the petitioner submitted
that the petitioner has falsely been implicated in the present
case. Petitioner is in custody since 30.08.2025 and has no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. No incriminating



material has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovery. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. 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, recovered contraband being less than the commercial quantity as also 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 Salimpur P.S. Case No. 239 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 Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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