

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. A (D.B.) No. 849 of 2025

Jitendra Kumar, aged about 34 years, son of late Ashok Saw, resident of Village- Nagwa, P.O. & P.S.- Garhwa, District- Garhwa (Jharkhand).

... Appellant

Versus

The State of Jharkhand

... Respondent

**CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA**

For the Appellant : Mr. A.K. Kashyap, Sr. Advocate.
For the Respondent : Mr. Bhola Nath Ojha, Spl.P.P.

06/Dated: 15th October, 2025

I.A. No.12340 of 2025

1. Heard Mr. A.K. Kashyap, learned senior counsel for the appellant and learned Spl.P.P.
2. This application has been preferred by the appellant for grant of bail to him during pendency of this appeal.
3. The appellant has been convicted for the offence under Section 17 (b) of the N.D.P.S. and has been sentenced to undergo rigorous imprisonment for 10 years along with fine of Rs.1,00,000/-.
4. It has been alleged that on information that the appellant deals with narcotic substances, the police conducted a search in the car which was parked in front of the house of the appellant and from the dashboard 47 grams of opium and 1.65 grams of heroin were recovered.
5. Submission has been advanced by the learned senior counsel for the appellant that so far as 47 grams of opium is concerned, the same is intermediary quantity while 1.65 grams of heroin which has been recovered is a small quantity. It has been submitted that the recovery was made from an abandoned car and the investigating officer has

failed to ascertain the owner of the said car. Learned senior counsel adds that during trial, the appellant was in custody for about 09 months and after his conviction he is in custody since 24.06.2025.

6. Learned Special Public Prosecutor has opposed the prayer for bail of the appellant and has submitted that the appellant has got criminal antecedents, though it has been admitted by him that no previous case under the N.D.P.S. Act has been instituted against the appellant. It has been submitted that the vehicle belongs to Nasim Ansari and such submission of the learned Spl.P.P. appears to further dilute the case of the prosecution against the appellant.
7. On consideration of the above facts, we are inclined to admit the appellant on bail. Accordingly, during the pendency of this appeal, the appellant is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount to the satisfaction of Learned Sessions Judge-cum-Special Judge under NDPS, Act, Garhwa in N.D.P.S Case No. 02/2025 (arising out of Garhwa P.S. Case No. 572 of 2024).
8. Accordingly, I.A. No.12340 of 2025 is disposed of.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

Dated:- 15th October, 2025

Amar/-

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