

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2409 of 2025

Arising Out of PS. Case No.-14 Year-2024 Thana- Haraiya District- East Champaran

Rajan Kumar S/O Nagendra Sah Resident of Village - Kaudihar, P.S. -
Raxaul, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Adv

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 09-04-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with
Haraiya P.S Case No. 14 of 2024 registered for the offences
punishable under Sections 8(c), 20(b)(ii)(c), 21(b), 22(c), 24 and
29 of the N.D.P.S. Act.

3. As per allegation in the FIR, Charas measuring
1092 grams has been recovered from the house of one co-
accused namely Naim Mian@Komarddin. The petitioner and
others were also arrested from there. They have said that they
were being given *charas* to sell them across the border in small
pouches.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. He next submits that petitioner's name has been figured on basis of mere suspicion and he was a passing that locality when police has apprehended him. He further submits that petitioner is resident of surrounding locality. Moreover, the contraband was recovered from the co-accused namely Naim Mian@Komarddin. It is also submitted that petitioner is in judicial custody since 01.10.2024. He further submits that other co-accused has been granted bail by the co-ordinate Bench of this Court in in Cr. Misc. No. 10122 of 2025, 10281 of 2025 and 12398 of 2025

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order dated 16.11.2024, it appears that there is no recovery from the conscious possession of the petitioner and petitioner was not arrested from the spot and also the fact that the alleged recovery less than commercial quantity and other co-accused has been granted bail by the other co-ordinate bench of this Court, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special



Judge/Sessions Judge, East Champaran, Motihari in connection
with Haraiya P.S Case No. 14 of 2024

(Ramesh Chand Malviya, J)

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