

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25147 of 2025

Arising Out of PS. Case No.-61 Year-2024 Thana- SIRDALA District- Nawada

Murari Chauhan @ Bhakhari Chauhan, Male, aged about 57 years, S/o- Late Budheshwar Chauhan, resident of village- Baijnathpur, Beldari, P.S- Sirdala, District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the NCB, Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar, Advocate
For the State	:	Mr. Raj Ballabh Singh, APP
For the NCB	:	Mr. Amish Kumar, CGC
		Mr. Aamir Hayat, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner; learned Additional Public Prosecutor for the State as well as learned counsel for Narcotics Control Bureau.

2. The petitioner seeks bail in connection with PTN 450 of 2024 arising out of Sirdala PS Case No.61 of 2024 dated 17.02.2024, instituted for the offence punishable under Sections 8(A),(c), 20(b), (I) (a) of the NDPS Act.

3. The prosecution case, in short, is that the SI of Sirdala PS on the basis of some secret information raided the premises of the petitioner, Surendra Chauhan and Ramashish Chauhan. During the course of raid, the Police recovered twenty



five green flowered *Ganja* plants from the door of the house of Ramashish Chauhan and after weighing the same it was found to be 42 Kgs. which were kept in four sacks and after drying the same it was found to be 32 Kg. 600 Gr. Further, during the course of raid, fifteen green *Ganja* plants were recovered from the door of the Surendra Chauhan and after weighing the same it was found to be 20 Kgs. which were kept in two sacks and after drying the same it was found to be 16 Kg. 650 Gr. Further, ten green *Ganja* plants were recovered from the door of the house of the petitioner and after weighing the same it was found to be 17 Kgs. 500 Gr. which were kept in two sacks and upon drying the same it was found to be 14 Kg. 950 Gr. Accordingly, seizure list was prepared.

4. Learned counsel for the petitioner submits that the recovered *Ganja* plants do not belong to the petitioner. Alleged recovery has not been made from the house of the petitioner, rather, recovery has been made from the land situated outside the house of the petitioner. Further submission is that the field from which recovery has been made does not belong to the petitioner. The agricultural land from which recovery has been made is situated in front of the house of the petitioner and the land belongs to Prithvi Chauhan and Laloo Chauhan. Petitioner



has no concern with the alleged *Ganja* like substance. Charge-sheet has been submitted in the case. Lastly, it is submitted that the petitioner is in custody since 23.12.2024 having clean antecedents.

5. Learned APP as well as learned counsel for NCB has opposed the prayer for bail. Learned counsel for the NCB submits that ten green *Ganja* plants were recovered from the land situated outside the house of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Principal District & Sessions Judge, Nawada, in PTN 450 of 2024 arising out of Sirdala PS Case No.61 of 2024.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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