

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21570 of 2025

Arising Out of PS. Case No.-291 Year-2024 Thana- Excise P.S. District- Khagaria

BAJRANGI KUMAR, Son of Late Domi Sahni, Resident of Village -
Manorwa Khaira, P.S.- Bithan, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 30-04-2025 Heard Mr. Rahul Singh, learned counsel for the
petitioner and Mr. Nityanand, learned APP for the State.

2. The petitioner seeks regular bail in connection with
Special Case (N.D.P.S.) No. 22 of 2024, arising out of
Prohibition Excise Khagaria P.S. Case No. 291 of 2024, dated
24.09.2024 registered for the offences punishable under
Sections 8 and 20(b) of the Narcotic Drugs and Psychotropic
Substances (N.D.P.S.) Act.

3. The main submissions advanced by petitioner's
counsel are that the petitioner has fair and clean antecedent and
has been languishing in jail since 25.09.2025 and as per the
prosecution story, the alleged auto rickshaw was signaled to
stop by the police officials then upon seeing the police party,
two persons tried to flee, one of them was apprehended after a



chase and it is alleged that the apprehended person was the petitioner but the said story clearly shows that the petitioner was apprehended merely on the basis of the suspicion and the alleged contraband which is said to be 7.5 Kg. of '*Ganja*' found in two bags, is not alleged to have been found in the physical and conscious possession of the petitioner rather the same is said to have been found on the road. It is further submitted that the alleged seized contraband suspected to be '*Ganja*' comes in the purview of intermediate quantity and the police have submitted the chargesheet against the petitioner without obtaining the F.S.L. report regarding the nature of the contraband and furthermore the mandatory provisions of N.D.P.S. Act relating to search and seizure were not followed by the police party.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. In the facts and circumstances of this case and considering the aforesaid submissions and mainly petitioner's fair and clean antecedent, and the completion of investigation against him and also the quantity of the alleged contraband, in my opinion, it is a fit case for grant of bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail



in connection with Special Case (N.D.P.S.) No. 22 of 2024, arising out of Prohibition Excise Khagaria P.S. Case No. 291 of 2024 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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