

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21025 of 2025

Arising Out of PS. Case No.-439 Year-2022 Thana- RIGA District- Sitamarhi

Hasim Sah S/o Ajim Sah R/o Village - Bharsar, P.S. - Kanhauli, Distt.
-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Riga P.S. Case No. 439 of 2022 registered on 01.10.2022 for the offenses punishable under Section 414 of the Indian Penal Code, sections 8/20 (b)(ii)(A) of the NDPS Act and 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, a total of 57.600 litres of Nepali Saufi liquor and 4 kilograms of ganja were recovered, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is contended that the petitioner is not named in the F.I.R., nor has



any recovery been made from his possession. The petitioner's name has surfaced in the present case solely because he is the registered owner of the vehicle recovered from the co-accused, from whom the alleged contraband was seized. It is further submitted that the petitioner has a clean antecedent.

5. The learned Additional Public Prosecutor for the State vehemently opposes the petitioner's prayer for bail.

6. In the aforesaid background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail in connection with Riga P.S. Case No. 439 of 2022, pending before the learned Sessions Judge-cum-Special Judge, NDPS Act, Sitamarhi, is hereby rejected.

7. However, it is directed that the petitioner shall surrender before the Trial Court within a period of four weeks from today. In case the petitioner surrenders within this period, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioner's anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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