

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22178 of 2025

Arising Out of PS. Case No.-651 Year-2024 Thana- SIKARPUR District- West Champaran

Subhas Prasad Kushwaha son of Bhikham Mahato village- Dumdumwa, ps-
Sathi, Dist- west Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 22-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Shikarpur PS Case No. 651 of 2024 instituted for the offences
under Sections 8, 20(b)(ii)(c) & 23(c) of the NDPS Act. And
Section 178 of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution allegation, in short, is that police has
recovered total 1.822 Kg charas from the Swift Dzire vehicle.
The police has also recovered counterfeit currency from the
alleged vehicle.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Charge-sheet been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that petitioner is the owner of the vehicle but in this regard, it is submitted that petitioner had given the vehicle to his brother-in-law who had given it to apprehended co-accused, namely, Radhe Shyam Hajara. The petitioner is in custody since 29-01-2025 and has got no criminal antecedent. Petitioner has no concern with the recovered contraband.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, since petitioner was not even present at the place of occurrence and merely he is owner of the car in question due to which he has been roped in this case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shikarpur PS Case



No. 651 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

