

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22631 of 2025

Arising Out of PS. Case No.-22 Year-2024 Thana- BHANGHA District- West Champaran

Afroz Mian Son of Late Doma Mian Resident of Vill- Kotwa, P.S.- Bhangaha,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 01-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8/20(b) (ii) (c)/22 (c)/23 (c) of the N.D.P.S. Act.

3. The case of the prosecution is that altogether 21 kg of ganja in two plastic sacks was recovered from *Baheri Raginadipul*.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The place from where the recovery is made does not belong to him.



It has also been submitted that the real weight of the ganja is not given in the seizure list and the weight has been taken with the sack in which it is alleged that contraband was kept. He has also submitted that in this case, I.O. has submitted charge sheet on 18.07.2024 and from perusal of para-60 of the diary, it transpires that without the FSL Report, the charge sheet was submitted. Learned counsel for the petitioner has also brought to the notice of this court that earlier vide order dated 27.01.2025 wherein the petitioner was given liberty to renew his prayer for bail after completing the incarceration period of up to one year. He has further submitted that petitioner is languishing in judicial custody since 17.03.2024.

5. Learned APP appearing for the State concedes to the argument of learned counsel for the petitioner that weighing was done with the sack.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhangaha P.S. Case No. 22 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge



(N.D.P.S.), Bettiah, West Champaran.

(Ashok Kumar Pandey, J)

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