

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26452 of 2025

Arising Out of PS. Case No.-151 Year-2024 Thana- Manuapul District- West Champaran

Firoj Miyan S/o- Motar Miyan R/o- Jhumka Ward No. 1 P.S.- Sikta District-
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. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Manuapul P.S. Case No. 151 of 2024 registered for the alleged offences under Sections 20(b)(ii)(B), 29 of N.D.P.S. Act.

03. As per prosecution case, an information was received about two persons on a black coloured Splendor motorcycle transporting *Ganja*. The said motorcycle was intercepted and petitioner and co-accused were apprehended. From their possession, recovery of 1.520 kg of *Ganja* was made. The co-accused also disclosed that he was acting as carrier and was going handover *Ganja* to some other person.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Admittedly, the motorcycle was being driven by co-accused Kamreyaj Alam and the petitioner is neither the owner of the motorcycle nor is having any concern with the alleged recovery. There is no independent witness. The recovery of contraband is just above the small quantity. The charge-sheet has been submitted without any FSL report so, the nature of the contraband will always be suspect. The petitioner is having clean antecedent and is in custody since 03.12.2024.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that petitioner and co-accused were caught transporting *Ganja*.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of the contraband, the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (NDPS Act), Bettiah, West Champaran in connection with Manuapul P.S. Case No. 151 of 2024, subject to the conditions mentioned in



Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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