

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34944 of 2025

Arising Out of PS. Case No.-325 Year-2024 Thana- RAMGARHWA District- East
Champaran

Ikram Miya @ Md. Ikram Son of Kamaruddin Miya @ Manjur Miyan
Resident of village - Belhiya (Binvaliya), P.S.- Ramgarhwa, District - East
Champaran, Bihar, 845433

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudrank Shivam Singh, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 20-08-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner who apprehends arrest in connection with Ramgarhwa P.S. Case No. 325 of 2024 lodged on 19.12.2024 for the offences punishable under sections 8 (c), 20(b)(ii) (c) and 22 of the Narcotic Drugs and Psychotropic Substances, Act, 1985.

3. As per the prosecution, a total recovery of 287.55 kg ganja 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 no contraband has been recovered either from the conscious possession of the petitioner or from his house. The only basis on which the petitioner has been implicated is the confessional statement of co-accused, Munaf Miyan. It is further



submitted that the alleged contraband, which was initially alleged to have been kept in the cattle shed (bhusaula) of the petitioner, was subsequently recovered from the cattle shed (bhusaula) of co-accused, Kamrul Hoda, pursuant to his own confessional statement. Thus, the actual recovery was made from the possession of co-accused Kamrul Hoda and not from the petitioner. Learned counsel also submits that the petitioner is accused in one other criminal case.

5. Learned APP for the State vehemently opposes the prayer for bail.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Ramgarhwa P.S. Case No. 325 of 2024, pending before the learned CJM, East Champaran at Motihari is hereby rejected.

7. However, if the petitioner surrenders before the Trial Court within six weeks from today, 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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