

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35434 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- FULKAHA District- Araria

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Dilkhush Kumar Ram @ Dilkhush Kumar S/o Nunu Lal Ram R/o Village-
Manikpur, W. No.- 10, P.S.- Fulkaha, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dheeraj Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 10-09-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Fulkaha P.S. Case No. 37 of 2025 registered for the offences punishable under Sections 8/20(b)(ii)B of the N.D.P.S. Act.

3. As per the allegation, total 14 kg of *Gaanja* has been recovered along with one motorcycle has been recovered by the police, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the present case is false and fabricated. No recovery has been made from the conscious possession of the petitioner.



It is further submitted that the petitioner has been implicated due to ulterior motives, as he did not comply with the informant and police personnel. A bare reading of the FIR reveals that two persons were seen riding on a motorcycle, with the pillion rider carrying a bag. After a hot chase, they abandoned the motorcycle and fled. However, they were eventually apprehended and identified as Pintu Kumar Yadav and Dilkush Kumar (petitioner). Upon interrogation, they disclosed that the recovered contraband (Ganja) belonged to Sintu Paswan. The petitioner has no connection with the seized contraband, nor does the motorcycle involved belong to him. It is further submitted that the quantity of recovered Ganja is less than the commercial quantity as defined under the relevant provisions of law. Petitioner is languishing in custody since 08.03.2025 having clean antecedent.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail **after framing of charge**,



if not framed on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Session Judge Cum Special Judge, NDPS, Araria in connection with Fulkaha P.S. Case No. 37 of 2025.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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