

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30572 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- SIKTA District- West Champaran

Rakesh Kumar @ Rakesh Prasad Sah Son of Bindeshwari Sah @ Sukat Sah
Kanu Resident of village - Jhalmahiya, Ward - Jaimangalpur, Police Station -
Pokhadiya, District - Parsa, Country - Nepal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 20-05-2025 Heard Mr. Brij Kishor Mishra, learned counsel for

the petitioner and Mr. Mithlesh Kumar Khare, learned APP for

the State.

2. The petitioner has prayed for bail in connection
with Sikta P.S. Case No. 16 of 2025 registered for the offence
punishable under Sections 8, 20(b)(ii)b, 22(b), 23(b), 29 of the
NDPS Act.

3. The case of the prosecution is that from the
possession of the petitioner, altogether 6kg 300 gm of *ganja* was
recovered.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this
case. Counsel submits that from perusal of the FIR, it is clear
that the alleged contraband was not tested even with the



Narcotic Test Kit. The informant himself has assumed that the material which has been recovered from the possession of the petitioner is *ganja* weighing 6 kg 500 gm, which is more than small quantity but is much less than commercial quantity. Counsel also submits that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Counsel further submits that the petitioner is languishing in judicial custody since 06.02.2025.

5. The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, (N.D.P.S.), Bettiah, West Champaran in connection with Sikta P.S. Case No. 16 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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