

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33971 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- NAKARDEI District- East Champaran

Chhatu Sah S/o Ramekbal Sah @ Rambali Sah R/o Village- Srisiya Mal, P.S.-
Nakardeyee, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Nakardei P.S. Case No. 24 of 2025 registered for the alleged offences under Sections 8(c), 21(b) and 29 of the NDPS Act.

3. As per prosecution case, police received information about two co-accused persons travelling on motorcycle doing trade of brown sugar. Co-accused Bablu Kumar was apprehended and other co-accused Tribhuwan Kumar fled away when the police intercepted the motorcycle. From the possession of the apprehended co-accused and the motorcycle, 156 gram of brown sugar was recovered. At the instance of the apprehended co-accused, other co-accused



was also arrested who further disclosed that this petitioner and some persons were involved in organized crime of trade of Narcotic Drug and Psychotropic Substance.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner and he has been named in this case by co-accused in his confessional statement. There is no material to show the connection of the petitioner with other co-accused and his involvement in the trade of illicit contraband. The recovered article is stated to be brown sugar but there is no F.S.L. report on record. Learned counsel further submits that moreover recovery is less than commercial quantity. Petitioner is having antecedent of one case of similar nature in which he is on bail.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that petitioner is having antecedent of similar nature.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the remoteness of allegation coupled with vague and doubtful nature of case and also considering possibility of false



implication, let the petitioner named above, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Court-II, N.D.P.S., East Champaran, Motihari/court concerned in connection with Nakardei P.S. Case No. 24 of 2025, subject to the condition laid down under section 482(2) of the B.N.S.S. and other 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, if so required by the learned trial court.

(Arun Kumar Jha, J)

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