

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32375 of 2025

Arising Out of PS. Case No.-322 Year-2024 Thana- RAMGARHWA District- East
Champaran

Ikram Miyan @ Md. Ikram S/O Kamaruddin Miya @ Manjur Miya R/O
Village- Sigasani Tola 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. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-08-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Ramgarhwa P.S. Case No. 322 of 2024, lodged on 17.12.2024, under Sections 8(C)/20(B)(ii)(c)/22 of the N.D.P.S. Act.

3. As per the prosecution, total recovery of 203.800 Kgs of Ganja has been made which 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. Counsel submits that antecedent of the petitioner is not clean and there is one criminal case pending against the petitioner which has been lodged after filing of the present case. He submits that the recovery has not been made from the petitioner's conscious possession. He submits that petitioner is the owner of the bus and only mistake is that the said contraband has been recovered from his bus.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that recovery of commercial quantity has been made from the bus of the petitioner.

6. Considering the recovery of commercial quantity as well as criminal antecedent of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail of the petitioner is hereby rejected. However, in the event of surrender of the petitioner within six weeks from today, the prayer for regular bail shall be considered on its own merit on the same day without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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