

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35299 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- Marnga District- Purnia

Chandan Chaudhary @ Chandan Kumar Chaudhary S/o Surendra Chaudhary
R/O Village- Khushkibaag Milanpada, P.S.- Purnia Sadar, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rasika, Adv. Mr. Arvind Kumar, Adv. Mr. Jyoti Singh, Adv.
For the Opposite Party/s :		Mr Kumar Uday Pratap

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

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

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Maranga P.S. Case no. 32 of 2025 instituted for the offence under Sections 8, 20(b)(ii)(c), 25 and 29 of the N.D.P.S. Act, 1985.

3. As per allegation in the FIR, on 5.2.2025 during the course of vehicle checking, police intercepted a motorcycle but the rider, namely, Vikash Kumar Sah tried to flee away. At the time of fleeing, motorcycle got unbalanced and he fell down and apprehended by the police officials. On search, total 48.85 kilogram Ganja were recovered from two bags and he disclosed



that on the instruction of the petitioner (Chandan Kumar) he was going to deliver the alleged Ganja to co-accused Vikash Yadav. He also disclosed the mobile number of the petitioner and co-accused Vikash Yadav.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner has no concern with the alleged seized material neither he was arrested on spot. No contraband material has been recovered from his conscious possession rather the same has been recovered from a motorcycle which was being driven by co-accused Vikash Kumar Sah, who was apprehended on spot and he disclosed the name of the present petitioner before the police, which has got no evidentiary value in the eye of law. Save and except confessional statement of co-accused made before the police, nothing has come against the petitioner during investigation to show his involvement in the present case. Provision of Section 103 of the B.N.S.S. has not been followed by the police officials while preparing the seizure list.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and in



the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Maranga P.S. Case no. 32 of 2025, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, (NDPS ACT) Purnea subject to the conditions as laid down under section 482 of the B.N.S.S.

(S. B. Pd. Singh, J)

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