

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36430 of 2025

Arising Out of PS. Case No.-61 Year-2025 Thana- RAGHOPUR District- Vaishali

1. Ganesh Rai S/o- Rajendra Rai Resident Of Village-Purushottampur, Ps- Raghovu (Rushtampur OP), Dist- Vaishali
2. Chandan Rai S/o- Vinod Rai, Resident Of Village-Pirmohamadpur, Ps- Raghovur (Rushtampur OP), Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-08-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioners who are in custody in connection with Raghovur P.S. Case No. 61 of 2025, lodged on 11.03.2025, under Sections 126(2)/115(2) /118(1) / 140/318(4)/61(2)/352/351(2) of the Bhartiya Nyay Sanhita, 2023 and under Sections 8/20(b)(ii)(B) of the N.D.P.S. Act.

3. As per the prosecution, FIR has been lodged against six named accused persons including the present petitioners with



allegation that recovery of 1 Kg 600 Gms of Ganja has been made.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that petitioners are in custody since 12.03.2025 having clean antecedent. Counsel submits that from the seizure list it becomes crystal clear that the said Ganja was recovered in a bush situated near the river Ganga and not from the possession of the petitioner. Counsel submits that a pure concocted story has been framed in the FIR. Counsel submits that the said quantity is admittedly a little bit more from the small quantity as for Ganja small quantity is 1 Kg and commercial quantity is 20 Kgs. Recovery of 1 Kg 600 Gms of Ganja has been made not from the possession of the petitioner.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the present facts and circumstances of this case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Principal District & Sessions Judge, Vaishali at Hajipur, in connection with Raghapur P.S. Case No.61 of 2025,



subject to the conditions as laid down U/s 480(3) of the BNSS,
2023.

(Dr. Anshuman, J)

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