

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42104 of 2025

Arising Out of PS. Case No.-356 Year-2024 Thana- LADANIA District- Madhubani

Bikau Yadav Son of Late Makhan Yadav R/o village - Bhagwatipur , p.s.-
Ladaniya , District -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate
	:	Mr. Ravi Prakash, Advocate
For the Opposite Party/s	:	Mr. Shantanu Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ladaniya P.S. Case No. 356 of 2024 instituted for the offences
under Sections 20, 22 and 23 of the NDPS Act.

3. Prosecution allegation, in short, is that total 34.700
Kg of *ganja* has been recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 24.10.2024 and
has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. No
incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submits that the recovery has been made from the joint house of the petitioner where other family members also reside. He further submits that search and seizure has not been prepared according to Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond the commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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