

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46571 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- MAINATAND District- West Champaran

Kanhaiya Mahato @ Kanhaiya Raut S/o Late Brahmdev Mahato R/o
Maiaatand, PS - Mainatand, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-07-2025 Heard Mr. Bimlesh Kumar Pandey, learned counsel

for the petitioner and Mr. Bharat Bhushan, learned APP

representing the State.

2. The petitioner is in custody in connection with
Mainatand P.S. Case No. 46 of 2025 for the offence punishable
under Sections 20(b)(ii)(A), 23(a), 29 of N.D.P.S. Act lodged on
11.03.2025 by the informant, Mantu Kumar.

3. As per the prosecution story, the informant has
alleged that on secret information about the petitioner moving
with *Ganja*, was intercepted and there is recovery/seizure of
520 gm. *Ganja* like substance. He further disclosed that the
same has been taken from *Rajmuddin Miyan* whereafter, this
place was raided and there is recovery/seizure of 7.5 Kg.
Ganja. This led to the F.I.R.



4. Learned counsel for the petitioner submits that he has no criminal antecedent, in custody since 11.03.2025 and the recovery/seizure which still has not been verified is below the commercial quantity.

5. Learned APP opposes the prayer for bail submitting that upon search, recovery has been made.

6. Considering the submissions of the parties as also the period of custody and further he has no criminal antecedent, recovery is below commercial quantity, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge (NDPS), Bettiah, West Champaran, in connection with Mainatand P.S. Case No. 46 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ankit Kumar/-

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