

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45409 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- NARKATIYAGANJ RAIL P.S. District-
West Champaran

Subhash Kumar Sahani S/o- Bikau Sahani Resident of Village- Somgarh,
Malaitola, Ward No. 09, PS- Sathi, Distt-West Champaran at Betia

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through Narcotics Control Bureau, Govt. of India, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Shanker Pankaj, Adv.
For the Opposite Party/s	:	Mr. Rajendra Singh, APP
for UOI	:	Mr. Vijay Kishore Bharti, Adv.
		Mr. Abhijeet Gautam, AC to ASG

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-07-2025 Heard Mr. Ravi Shanker Pankaj, learned counsel for

the petitioner, Mr. Rajendra Singh representing the State as also

Mr. Vijay Kishore Bharti for the informant.

2. The petitioner is in custody in connection with Rail
Narkatiyaganj @ GR P.S. Case No. 12 of 2025 for the offence
punishable under sections 8, 20(B)(ii)(B), 23(b) of the NDPS
Act.

3. As per the prosecution story, the informant alleged
that upon information about movement of narcotic drugs, when
the Saptkranti Express arrived, the accused were apprehended
and allegation is that from the black bag of Md. Amir, there is



recovery/seizure of 10.235 kg ganja. The petitioner was accompanying Md. Amir, hence both were taken into custody. This led to the FIR.

4. Learned counsel for the petitioner submits that admittedly, the recovery/seizure is from Md. Amir, only because he has criminal antecedent, has been implicated, is in custody since 24.04.2025 and the last submission is that the recovered quantity is below the commercial one of 20 kg.

5. Learned APP as also learned counsel representing the Central Government opposes the prayer for bail submitting that though recovery/seizure is from Md. Amir, the petitioner was accompanying him.

6. Considering the submissions as also that nothing has been recovered from his conscious possession, is in custody since 26.04.2025 and the recovered quantity is below the commercial one, in that background, 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) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, (NDPS), West Champaran at Betia in connection with Rail Narkatiyaganj @ GR P.S. Case No. 12 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 appear before the concerned police station every fortnight for one year to mark his attendance;

(iv) 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;

(v) 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)

Vijay Singh/-

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