

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47915 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- JHAROKHAR District- East Champaran

Anil Sah @ Anil Kumar Sah S/O Hari Krishna Sah, R/O Vill.- Pithwa West,
Ward no. 3, P.S.- Jharaukhar, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the State : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Jharokhar P.S. Case No. 50 of 2025 dated
08.04.2025, registered for the offences punishable under
Sections 8/20(b)(ii)(B), 23(B), 25 and 29 of the N.D.P.S. Act.

3. As per allegation, 4.3 kg. *ganja* was recovered from
the possession of co-accused/Mukesh Sah. As per further case of
the police, as per the confessional statement of co-
accused/Mukesh Sah, he was going to supply this contraband to
petitioner-accused and in support of such allegation, police has
claimed that there was voice chat found in the mobile of co-
accused/Mukesh Sah with Anil Kumar Sah having Mobile
No.918539065551.



4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that even as per the allegation, the petitioner has never come into possession of the contraband. Moreover, the claim of the petitioner that there was voice chat on whatsapp of co-accused Mukesh Sah is not reliable because on whatsapp, voice chat cannot be recorded. He also submits that seized *ganja* was only 4.3 kg. which is less than commercial quantity.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand)



with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Jharokhar P.S. Case No. 50 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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