

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49971 of 2025

Arising Out of PS. Case No.-82 Year-2025 Thana- SURSAND District- Sitamarhi

Rabbani Ansari @ Md. Rabbani S/O Late Sahid Ansari @ Said Ansari R/O
Bhaluahi, P.S.- Sonbarsha, Bhuthi, Dist.- Sitamadhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 06-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Sursand PS Case No. 82 of 2025 instituted for the offences
under Sections 8, 20(b)(ii)(c) of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 73 Kg *ganja* from a Honda City car, bearing
registration No. BR01BY 8509.

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 28-02-2025 and
has got no criminal antecedent. Learned counsel further submits
petitioner had taken lift from the car in question and he was



oblivious of the fact that illicit contraband was laden in the car. It is next submitted that there is no compliance of Sections 42 and 50 of the NDPS Act. Nothing has been recovered from the conscious possession of the petitioner.

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 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*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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