

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47832 of 2025**

Arising Out of PS. Case No.-56 Year-2025 Thana- RAGHOPUR District- Vaishali

Chandra Mohan Prakash S/o Jay Prakash Ray R/o vill- Rampur Shyamchand,  
P.S.- Raghopur, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Ajit Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

4      15-10-2025                      Heard the parties.

2. The petitioner seeks bail in connection with Raghopur P.S. Case No. 56 of 2025 registered for the offence under Sections 20(B)(ii)(C), 27(a) of the NDPS Act.

3. The petitioner is named in the F.I.R. and is in custody since 06.03.2025.

4. As per FIR, 10.1 kg of Ganja alleged to be recovered from the house of the petitioner, where as per FIR petitioner was apprehended on spot whereas other co-accused persons succeed to fled away.

5. Learned counsel appearing on behalf of the petitioner submitted that the recovery of alleged contraband/



Ganja appears to be made from the joint house of the petitioner for which eviction suit is pending. It is submitted that compliance of Section 103 of BNSS not appears to be followed in present case *qua* search of premises and therefore it can be safely said that the recovery of contraband appears doubtful. Despite aforesaid, it is also submitted that mandatory provisions regarding search, sealing and seizure (SSS) also not appears followed. It is submitted that as recovered quantity is less than commercial quantity, therefore, rigors of Section 37 of NDPS Act not applicable in present case. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact as recovered quantity of alleged contraband/ Ganja appears less than commercial quantity which appears recovered from the joint house of the



petitioner, coupled with fact that investigation of this case already completed where petitioner remains in custody since 06.03.2025, accordingly petitioner above named, is directed to be released on bail in connection with Raghapur P.S. Case No. 56 of 2025 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Principal Sessions Judge, Vaishali Hajipur, concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

**(Chandra Shekhar Jha, J)**

Sudha/-

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