

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56361 of 2025

Arising Out of PS. Case No.-330 Year-2025 Thana- KATIHAR NAGAR District- Katihar

1. Shankar Singh, aged about 36 years (Gender-M), S/O Mohanchandra Singh @ Mohchand Singh, Resident of Village- Arajpur Ward No.- 10, P.S.- Chausa, District- Madhepura
2. Tetari Devi, aged about 35 years (Gender-F), W/O Shankar Singh, Resident of Village- Arajpur Ward No.- 10, P.S.- Chausa, District- Madhepura
3. Umesh Sahni, aged about 30 years (Gender-M), S/o Late Arjun Sahni, R/O Vill.- Kulipara Dahiya Tola, P.S. and Dist.- Sahebganj (Jharkhand)
4. Sarita Devi, aged about 29 years (Gender-F), W/O Umesh Sahni, R/O Vill.- Kulipara Dahiya Tola, P.S. and Dist.- Sahebganj (Jharkhand)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Bimal Kumar, Advocate
For the Opposite Party : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 14-08-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Special (N.D.P.S.) Case No. 56 of 2025, arising out of Katihar Town (Sahayak) P.S. Case No. 330 of 2025 dated 01.04.2025 registered for the offences punishable under Sections 8, 20(b)(ii) (B) of the N.D.P.S. Act.

3. As per the prosecution case, on 01.04.2025, the police arrested the petitioners and on search, 4.640 Kgs., of Ganja was recovered from the possession of the petitioner nos. 1



and 2 and 5.744 kgs., of Ganja was recovered from the possession of the petitioner nos. 3 and 4 meaning thereby total 10.384 kgs., of Ganja was recovered.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is submitted that no incriminating article has been recovered from the possession of the petitioners. There is no statutory compliance under the provisions of Sections 42 and 50 of the N.D.P.S. Act and Section 103(4) of the B.N.S.S., 2023. It is further submitted that the petitioners were waiting for the Bus for going to their native village but unfortunately the police came there and arrested the petitioners. The petitioners have no concern with the alleged offence. It is further submitted that the seized contraband is less than commercial quantity. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioners are in custody in this case since 02.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners, above named, are directed to be enlarged on bail on furnishing



bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, N.D.P.S. Act, Katihar in connection with Special (N.D.P.S.) Case No. 56 of 2025, arising out of Katihar Town (Sahayak) P.S. Case No. 330 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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