

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56809 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- East Champaran

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Srith Sahani @ Shrith Sahni S/o Tildhari Sahani @ Tildhari Sahni R/o
Village- Patti Bokane, P.S.- Patahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

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

ORAL ORDER

2 21-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with NCB
P.S. Case No. PZU/V/02 of 2025 NDPS G.R. Case No. 43 of
2025 instituted for the offences under Sections 8(c), 18(b), 29 of
the NDPS Act.

3. Prosecution allegation, in short, is that total 8
kilogram opium has been recovered in this case.

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 22.03.2025 and
has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. Learned



counsel further submits that no incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further contended that petitioner was merely the passerby whereas the main culprit fled away from the spot throwing away the contraband.

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.

(Rudra Prakash Mishra, J)

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