

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62457 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- BALTHAR District- West Champaran

Faiyaj Gaddi @ Faiyaj Gadi Son of Subaidar Gaddi @ Subedar Gaddi
Resident of Village - Sadakia tola, Ward no. 11, Ps- Balthar, Dist- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 09-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Balthar
P.S. Case No. 12 of 2025 instituted for the offences under
Sections 20(b)(ii)(c), 23(c), 25, 29 of the N.D.P.S. Act.

3. Prosecution case, in short, is that during
investigation into the murder of Rijwana Khatoon, the
informant, SHO Balthar, recovered 4.26 Kg *charas* like
substance from house premises of deceased Rijwana Khatoon.
Independent witnesses disclosed that accused persons including
the petitioners are habitual dealers of *charas/ganja*.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Charge-sheet has been submitted in this case. Petitioner is in custody since 09.02.2025 and has one criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the allegedly recovered contraband or from the house from where the alleged recovery has been made. Learned counsel further submitted that there is no direct material to prove the involvement of the petitioner in the alleged offence, rather the name of the petitioner has transpired merely on the basis of local people. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no direct material to show the involvement of the petitioner in the alleged offence as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Balthar P.S. Case
No. 12 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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