

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63006 of 2025

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

Imran Gaddi @ Imran Gadi S/o- Subaidar Gaddi @ Subedar Gaddi @
Subedar Gadi Village- Sadakiya Tola , 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, APP

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

ORAL ORDER

2 10-09-2025 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 punishable under Sections 20(B((ii)(c), 23(c), 25 and 29 of the NDPS 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 her house premises. 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. Petitioner is in custody since 09.02.2025 and has got 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 disclosure made by 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. 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 and the petitioner does not deserve the privilege of bail.

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)

Rajorshi/-

U		T	
---	--	---	--

