

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64960 of 2025

Arising Out of PS. Case No.-178 Year-2025 Thana- RAXAUL District- East Champaran

Rambalak Singh S/o- Late Jhabu Singh Village- Bandhu Barawa W.No-13,
PS- Ramgarhwa Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Adv.

For the Opposite Party/s : Mr.Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 18-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Raxaul P.S. Case No. 178 of 2025, registered for the offences under Section 20(b)(II)(B), 23(b), 29 of the N.D.P.S. Act.

3. As per the prosecution case, recovery of 8.664 kg of *Ganja* was made from the house of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner used to work as a driver with Ramgharwa Police Station and 20 days prior to the occurrence, the petitioner had hot exchange of words with the S.H.O. of the police station and the petitioner was put under suspension. In order to settle the score with the petitioner, the



S.H.O. falsely implicated the petitioner in the present case. Learned counsel further submits that from the FIR it is clear that no recovery has been made from the first house of the petitioner in which the petitioner used to live. The recovery has been shown from a house which remains closed. Moreover, recovery has been made outside the house and not from the inside and it shows the recovery has been planted by the police. There is complete violation of Section 100 of the Cr.P.C. while making the seizure. The petitioner did not flee away after the incident and this shows he is non-guilty man. The petitioner is in custody since 24.04.2025 and he has no criminal antecedent. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that the recovery has been made from one of the house of the petitioner and it is more than the small quantity though less than the commercial quantity.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the background of facts and clean antecedent of the petitioner, his nature of job and also considering his period of custody and submission of charge sheet and less than commercial quantity of



the contraband, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, Est Champaran, Motihari/concerned court, in connection with Raxaul P.S. Case No. 178 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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