

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63848 of 2025

Arising Out of PS. Case No.-380 Year-2024 Thana- CHAUTHAM District- Khagaria

Dharmendra Paswan @ Dharmendra Kumar Paswan Son of Late Sattan
Paswan Resident of village - Saraiya, P.S.- Chautham, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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

ORAL ORDER

2 10-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with NDPS
Special Case No. 33 of 2024 arising out of Chautham PS Case
No. 380 of 2024 instituted for the offences under Sections 8,
20(b)(ii)B & 21(c) of the NDPS Act and Sections 25(1-B)a,
26(1) & 35 of the Arms Act.

3. Prosecution allegation, in short, is that on
30.12.2024, police raided the shop of Dharmendra Paswan
(petitioner herein) and his wife in Saraiya village based on
secret information about illegal contraband sale. During the raid,
4.400 kg ganja, 11 pieces of codine (1.100 litres), one pistol,
two live cartridges, and Rs. 6,200 in cash were recovered, and



his wife was apprehended on the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that petitioner has no concern with the recovered arms and contraband. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 18.07.2025 and has got no criminal antecedent. 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, recovery below commercial quantity and 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 NDPS Special Case



No. 33 of 2024 arising out of Chautham PS Case No. 380 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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