

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66196 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- SONBERSA District- Sitamarhi

1. Naveen Bhandari Son of Khadag Bhandari Resident of Village - Rame Chhap, Ward no. 9, PS - Mantoli Dist- Ramechhp (Nepal)
2. Sujan Manjhi son of Puran Bahadur Manjhi Resident Of Village - Kamlamai Nagarpalika Wad no. 6, Ps- Sindhuli, Dist- Sarlahi (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 02-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under Sections 8, 20(b), (ii), (c) of the N.D.P.S. Act.

3. The case of the prosecution, in short, is that, the informant had received information that ganja is to be smuggled from Nepal to India. For verification of the said information, the informant along with his associates reached the place and apprehended them. On being searched, 27 kg of ganja like substance was recovered from the gunny bags.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and has committed no offence. Learned counsel for the petitioners has submitted that from perusal of the seizure list it is evident that the place of seizure is near B.P No. 319/1 approx 50 meter India side. It is further submitted that no recovery has been made from the conscious possession of the petitioners. Since the recovery has not been made from possession of the petitioners rather from an open place, the question of the quantum of the contraband which has been recovered becomes irrelevant. It has also been submitted that the petitioners have no criminal antecedent as stated in paragraph no. 3 of the bail petition. Moreover, the petitioners are languishing in judicial custody since 04.03.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Sonbarsa P.S. Case No. 80 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (NDPS Act), Sitamarhi/concerned Court below.



7. Accordingly, the application stands allowed.

(Ashok Kumar Pandey, J)

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