

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70482 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- FULKAHA District- Araria

Sanjay Bahardar S/O Vidyanand Bahardar @ Bidyanand Bahardar R/O Vill.-
Ward no. 3, Dumariya, P.S.- Forbesganj, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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

ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Fulkaha PS Case No. 63 of 2025 instituted for the offences
under Sections 8 & 20(b)(ii)(c) of the NDPS Act.

3. The prosecution case, in short, is that on
16.05.2025 at about 23:50 hours, acting on secret information, a
police team intercepted four persons coming from Nepal
carrying sacks. One accused, namely Arun Bahardar, was
apprehended, and 115 kg of Ganja was recovered from his
possession. He disclosed that the contraband belonged to Ravi
Sah, Sanjay Bahardar (petitioner) and Kundan Sah.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Charge-sheet been submitted in this case. Petitioner was not apprehended from the spot. Learned counsel for the petitioner further submits that petitioner has no concern with the recovered contraband. Learned counsel next submits that from perusal of the FIR, it would manifest that nothing has been recovered from the possession of the petitioner. The petitioner is in custody since 25.05.2025 and has got two criminal antecedents. 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, manner of petitioner's implication 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Fulkaha PS Case No. 63 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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