

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74059 of 2025

Arising Out of PS. Case No.-105 Year-2025 Thana- PHULWARIA District- Begusarai

Lalan Das, aged about 31 years, Male, Son of Mahesh Das, Resident of
Village- Asurari, P.S.- Barauni, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate

Ms. Priti Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
N.D.P.S. Case No. 38 of 2025 arising out of Phulwaria P.S. Case
No. 105 of 2025 instituted for the offences punishable under
Sections 20 and 22 of the N.D.P.S. Act.

3. As per allegation in the FIR, it is case of recovery
of 70 gm *Ganja* from the shop of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of mere
suspicion. He submits that nothing has been recovered from the
conscious possession of the petitioner. He further submits that
from the seizure list 70 gm of *Ganja* has been recovered from



the shop of the petitioner but not from his conscious possession. He next submits that 70 gm *Ganja* is a small quantity. He lastly submits that petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 14.07.2025.

5. Learned APP for the State opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Principal Sessions Judge, Begusarai dated 30.08.2025, it appears that petitioner is named in the FIR. From perusal of the records, it appears that on the basis of written report of the informant Gautam Kumar, A.S.I. Phulwaria, FIR has been registered under Sections 20 and 22 of the N.D.P.S. Act against nine accused persons including the present petitioner and the allegation against him is that there is recovery of 70 gm *Ganja* from the shop of the petitioner. Petitioner has got clean antecedent as stated in para 3 of the petition and is in custody since 14.07.2025. Similarly situated co-accused persons namely Manoj Sah, Sanjiv Kumar and Ramchen Singh have been granted bail by a Co-ordinate Benches of this Court in Cr. Misc. Nos. 69155 of 2025, 67089 of 2025 and 66839 of 2025 vide orders dated 07.10.2025 and 24.09.2025 respectively. So considering all these aspects of the case and submissions of



learned counsel for the petitioner, I am inclined to granted bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Principal Sessions Judge, Begusarai in connection with N.D.P.S. Case No. 38 of 2025 arising out of Phulwaria P.S. Case No. 105 of 2025.

(Ramesh Chand Malviya, J)

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