

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76186 of 2025

Arising Out of PS. Case No.-440 Year-2025 Thana- BUXAR District- Buxar

Gupta Paswan Son of Late Gorakh Paswan @ Gorakh Nath Paswan Resident
of Muhalla -Khalashi,P.S.-Buxar-Town, Distt-. Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 19-11-2025 Heard Mr. Rakesh Kumar Mishra, learned counsel for
the petitioner and Mr. Yogendra Kumar, learned APP for the
State.

2. The petitioner has prayed for bail in connection with
Buxar Town P.S. Case No. 440 of 2025 registered for the offence
punishable under Sections 8B, 20(b)(ii)B, 22 of the N.D.P.S. Act.

3. The case of the prosecution is that altogether 2.02 kg
of *ganja* was recovered from the possession of this petitioner.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. Learned
counsel for the petitioner also submits that only 260 gm was
recovered from the shop, whereas the rest of the contraband was
recovered from a joint house. He also submits that though the



contraband that has been recovered from the possession of this petitioner is more than a small quantity but is much less than a commercial quantity. He further submits that from perusal of the FIR, it is clear that the *ganja*-like substance was recovered, and the raiding party had no kit to test the same. Moreover, petitioner is languishing in judicial custody since 03.08.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner has got criminal antecedent of one case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Principal District & Sessions Judge-cum-Special Judge-cum-Special Judge N.D.P.S. Act in connection with N.D.P.S. Case No. BRBU10P0010142025 arising out of Buxar (T) P.S. Case No. 440 of 2025.

(Ashok Kumar Pandey, J)

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