

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82125 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- SUHAIL District- Gaya

Suresh Saw S/o Late Shivshankar Saw Resident of Village- Manjhauli, P.O.-
Salaiya, P.S.- Sohail, District- Gayaji

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mrs. Archana Jha, Advocate Mrs. Namrata Mishra, Sr. Advocate
For the Opposite Party/s :	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
CAV ORDER

3 17-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in connection with Sohail P.S. Case No. 08 of 2025 instituted for the offence under Sections 8, 15(c), 18, 25 and 29 of the N.D.P.S. Act.

3. The case of the Prosecution is that on a secret information, a pickup van was searched and on being searched, from the pickup van altogether 211.8 Kg of Poppy Straw (Doda) was recovered. It is further alleged that the driver left the pickup van and managed to escape.

4. Learned counsel of the petitioner has submitted the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. Learned counsel for the petitioner has submitted that the name of this petitioner has surfaced during the investigation as he is the owner of the said pickup van. It has further been submitted that nothing has been recovered from his conscious possession and that he had no knowledge about the loaded article on the pickup van or the alleged recovery from the said vehicle as it had been put on rent on the date of the occurrence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 21.06.2025.

5. Per contra, learned APP for the State has submitted that commercial quantity of the contraband has been recovered from the pickup van owned by this petitioner. The Petitioner does not disown the van and the contraband being beyond the limits of commercial quantity, it necessarily attracts the rigours of section 37 of the N.D.P.S. Act.

6. It is admitted that the commercial quantity of the contraband was recovered from the van belonging to the Petitioner. Though, the petitioner has submitted that the alleged van was put on rent on the alleged date of occurrence of the offence, his submission proves to be evasive as he fails to



disclose a name to whom the said pickup van was rented on the purported date of occurrence.

7. Having heard the learned counsel for the parties and considering the facts and circumstances of this as stated above, I am not inclined to enlarge the petitioner on bail at this juncture and, as such, his prayer for bail stands rejected.

8. However, the petitioner will be at liberty to renew his prayer for bail after six months if the trial is not concluded.

9. Learned trial court is directed to expedite the trial.

(Ashok Kumar Pandey, J)

Shubham/-

AFR/NAFR	NAFR
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