

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82850 of 2025

Arising Out of PS. Case No.-229 Year-2024 Thana- PIRO District- Bhojpur

Mahabir Paswan S/o Late Dasai Paswan @ Dasai Ram Resident of Village-
Belaur, P.S.- Udwant Nagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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

ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Piro
(Hasan Bazar) P.S. Case No. 229 of 2024, instituted for the
offences punishable under Sections 20(B)(ii)(c) and 29 NDPS
Act.

3. The prosecution case, in short, is that, there is recovery
of 40.38 Kg *ganja* from the possession of the petitioner along
with other co-accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the petitioner has got no concern with the alleged recovery of *ganja*. The petitioner is in custody since 09.06.2024 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the NPDS Act.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is also submitted that recovered contraband is above the commercial quantity, and the petitioner being party to the criminal conspiracy, as also there is bar under Section 37 of the N.D.P.S. Act. It is further submitted that the FSL report corroborates with the prosecution case. Hence, the petitioner does not deserve the privilege of bail. Bail of other co-accused has been rejected by this Court vide order dated 30.08.2025, passed in Cr. Misc. No. 62287 of 2025.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is ***rejected***. The trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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