

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84733 of 2025

Arising Out of PS. Case No.-815 Year-2025 Thana- BIHTA District- Patna

1. Arvind Kumar, aged about 20 years (Male), S/o Baijnath Prasad, R/o-Shala Chowk, P.S-Jandaha, District - Vaishali
2. Sindhu Kumar, aged about 20 years (Male), S/o Anarik Paswan, R/o - Malikpur, P.S - Raghapur, District - Vaishali

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ghanshyam Tiwary, Advocate
For the Opposite Party : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-12-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Bihta P.S. Case No. 815 of 2025 dated 22.10.2025 registered for the offences punishable under Sections 8, 20(B)IIB of the N.D.P.S. Act.

3. As per the prosecution case, total 4.860 kgms., of Ganja was recovered from Sindhu Kumar (petitioner no. 2). It is further alleged that Arvind Kumar (petitioner no. 1) and Sindhu Kumar (petitioner no. 2) disclosed that they used to buy Ganja from the co-accused Santosh Kumar and was taking Ganja on the co-accused Santosh Kumar's motorcycle.



4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that no incriminating article or Ganja was recovered from the possession of the petitioners. There is no statutory compliance of Sections 42 and 50 of the N.D.P.S. Act., in the present case. There is no independent witness in the present case. It is further submitted that the alleged Ganja comes under in intermediate quantity. It is further submitted that police took signature of the petitioners on several plain and printed papers. It is further submitted that the other co-accused person, namely, Santosh Kumar, has already been granted bail in Cr. Misc. No. 84375 of 2025 vide order dated 05.12.2025 by a Bench of this Court. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioners are in custody in this case since 23.10.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners, above named, are directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with



two sureties of the like amount each to the satisfaction of learned District and Sessions Judge (Spl. Judge (N.D.P.S.), Patna, in connection with Bihta P.S. Case No. 815 of 2025 with further condition:-

(I) The petitioners are directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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