

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.934 of 2025

Arising Out of PS. Case No.-116 Year-2024 Thana- BHITAHA District- West Champaran

1. Rohit Kumar S/O Chandrika Kurmi R/O Vill.- Rupahi Tand, P.S.- Bhitaha, Dist.- West Champaran.
2. Akash Patel S/O Jitendra Patel R/O Vill.- Pagar Chhapra, P.S.- Ramkola, Dist.- Kushinagar.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-04-2025

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Bhitaha P.S. Case no.116 of 2024 registered under sections 8 and 20(b)(ii)(B) of the NDPS Act

3. As per the prosecution case, on surprise checking being conducted it is stated that accused persons made an attempt to escape but both the petitioners were caught. On search, 10 kgs of *ganja* was recovered from their possession.

4. It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. No incriminating article has been recovered from their



possession. There is violation in following the provisions prescribed under NDPS Act. The petitioners have no criminal antecedent and are in custody since 27.9.2024. Chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioners of recovery of 10 kgs of *ganja* from their possession and both being arrested at the spot, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

7. Liberty is granted to the petitioners to renew their prayer for bail on completing 1 year in custody.

(Partha Sarthy, J)

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