

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2142 of 2026

Arising Out of PS. Case No.-596 Year-2025 Thana- SITAMARHI District- Sitamarhi

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Ramji Das S/o Late Chhathu Das Resident of Village- Jhanuaguthi @
Jhavaagutthi ward no. 3 @ Jhauaguthi ward no. 3, P.S.- Pokhariya, Dist.-
Parsa @ Parsa Madhes Pradesh (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Jagdhari Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

6 21-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sitamarhi P.S. Case No. 596 of 2025 registered for the alleged offences under Section 111(3) of BNS and Sections 8/20(b)(ii)(B)(C), 23, 25, 29, 61 of NDPS Act.

03. As per prosecution case, police received information about transportation of huge quantity of **Charas** on a motorcycle from Nepal, a trap was laid and the identified motorcycle was signaled to stop. Two persons on the motorcycle



tried to run away on seeing the police party but they were apprehended and searched. The petitioner is one of the apprehended persons. From search of the dickey of the motorcycle, recovery of 8.256 kg of **Charas** was made. From the search of the petitioner, from a backpeck, recovery of 3.200 kg **Ganja** was made. On disclosure of the apprehended persons, further raids were conducted and co-accused Vir Bahadur Mahto was apprehended and from his house, recovery of 10.110 kg of **Charas** was made. The apprehended co-accused disclosed that he has purchased the **Charas** from the petitioner and co-accused Jirjodhan Prasad Chaurasiya. Thus, total recovery of 18.366 kg of Charas and 3.200 kg of **Ganja** was made from the petitioner and other co-accused persons.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern with the motorcycle from which recovery of **Charas** has been made. From the FIR it is clear that the motorcycle was being driven by co-accused Jirjodhan Prasad Chaurasiya and he has purchased the motorcycle and he used the same for smuggling of psychotropic substances. The petitioner took lift from the co-accused and has falsely been made accused in this case on showing planted



recovery of 3.200 kg of **Ganja**. Learned counsel further submits that the quantity of recovered **Ganja** from the petitioner is less than commercial quantity and more than small quantity. Learned counsel further submits that the liability of recovery of **Charas** could not be fastened upon the petitioner, who is having clean antecedent. The petitioner is in custody since 31.08.2025 and charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that from the FIR it is apparent that the petitioner and co-accused persons had been working in connivance with each other and were involved in illicit trade of psychotropic substances. Learned APP further submits that the recovery of **Charas** and **Ganja** has been made from the conscious possession of the petitioner and co-accused Jirjodhan Prasad Chaurasiya. Learned APP also submits that at the instance of the petitioner and co-accused Jirjodhan Prasad Chaurasiya, further recovery of **Charas** was made from another co-accused.

06. Having regard to the quantity of recovered psychotropic substances and further considering the gravity of offence, I am not inclined to enlarge the petitioner on bail and hence, the prayer for bail of the petitioner is rejected.



07. Learned trial court is directed to expedite the trial
at the earliest.

(Arun Kumar Jha, J)

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