

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1857 of 2026

Arising Out of PS. Case No.-122 Year-2025 Thana- JITNA District- East Champaran

Nitish kumar @ Nitesh kumar, Son of Ramprit Ray @ Ramprit Rai @ Rampreet Ray, Resident Of Village - Ward No 4, Agarwa, PS- Jitna, District -East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through Ram Krishna Ojah, S.I/GD, E-coy, 71 B.N. SSB, Barharwa, Motihari

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar No.III, Advocate
For the State	:	Mr.Anish Chandra, APP
For the UOI/NCB	:	Mr. Awadhesh Kumar Pandey, Sr. CGC
		Mr. R.K. Sharma, CGC
		Mr. Lokesh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 13-07-2026 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the Union of India.

2. In the present case, the petitioner seeks bail in connection with NDPS Case No. 170 of 2025, arising out of Jitna P.S. Case No.122 of 2025, registered under Sections 8, 20(b)(ii)(C) of NDPS Act.

3. The informant received a tip off about a person carrying some psychotropic substance in a white colour sack, a trap was laid and a person was found carrying a sack who started running away on seeing the raiding party throwing away the sack which he had been carrying. The person was



apprehended after chase and from the sack thrown behind by the person, recovery of 21 Kg ganja was made. The petitioner is the apprehended person.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner as it is the case of the prosecution that the recovery was made from a sack which was left behind by a person who was carrying it. The learned counsel further submits that the charge sheet has been submitted without FSL report. The petitioner is in custody since 04.06.2025 and is having clean antecedents.

5. The learned APP and learned counsel appearing on behalf of the Union of India oppose the submission made on behalf of the petitioner. The learned counsel for the Union of India submits that the FSL report has been submitted which confirms the finding that it was *ganja* which has been seized from the petitioner. The learned counsel also submits that quantity of contraband seized is more than the commercial quantity.

6. Having regard to the recovery of commercial quantity of contraband from the petitioner, I am not inclined to



enlarge the petitioner on bail.

7. Accordingly, his prayer for grant of bail is rejected.

8. Since the petitioner is in custody for more than a year, the learned trial court is directed to expedite the trial and conclude the same at the earliest.

9. At the same time, the Superintendent of Police, East Champaran at Motihari is directed to ensure the presence of the prosecution witnesses on the dates fixed before the learned trial court without fail.

10. The Commandant, SSB, Motihari/concerned Commandant is also directed to ensure that the official witnesses are produced on the dates fixed before the learned trial court without fail.

(Arun Kumar Jha, J)

V.K.Pandey/-

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