

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1937 of 2026**

Arising Out of PS. Case No.-134 Year-2025 Thana- KHIRHAR District- Madhubani

1. Rohit Kumar S/O Ramdeo Mahto Resident of Village- Basopatti, P.S- Basopatti, Distt.- Madhubani.
2. Rajesh Kumar Safi S/O Bhogi Safi Resident of Village- Basopatti, P.S- Basopatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr. Bhavesh Kumar Sah, Advocate |
|                          | : | Ms. Archana Anand, Advocate     |
| For the Opposite Party/s | : | Mr. Kumar Ranjit Ranjan, APP    |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      20-01-2026                      Heard Mr. Bhavesh Kumar Sah, learned counsel for the petitioners and Mr. Kumar Ranjit Ranjan, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who is in custody since 29.11.2025 in connection with Khirhar P.S. Case No. 134 of 2025 arising out of G.R. Case No. 109 of 2025, F.I.R. dated 28.11.2025 for the offences punishable under Sections 20,22 of the Narcotic Drugs & Psychotropic Substance Act, 1985.

3. Recovery is of 1 kg 350 grams of *Ganja*.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR and



seizure list that altogether 1350 grams of ganja was recovered from the possession of the petitioners. He further submits that recovered contraband is less than the commercial quantity. Hence, there is no embargo under Section 37 of the N.D.P.S Act for grant of bail to the petitioners. The petitioners are in custody since 29.11.2025.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances and the petitioners have clean antecedent and that the recovered contraband is less than the commercial quantity but more than small quantity, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Principal Sessions Judge, Madhubani in connection with Khirhar P.S. Case No. 134 of 2025, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on thier absence on two consecutive dates without sufficient reason, thier bail bond shall be cancelled by the Court below.



ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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