

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2722 of 2026

Arising Out of PS. Case No.-32 Year-2023 Thana- BAISI District- Purnia

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Rohit Sahni @ Rohit Sahani Son of Ramu Sahani R/O Vill.- Shantinagar,
P.S.- Dalkola, District- Uttar Dinajpur (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr.Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-02-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Baisi P.S. Case No. 32 of 2023, registered for the offences punishable under Sections 8(c)/21(c) of the NDPS Act.

3. In course of vehicle checking, the police intercepted a motorcycle bearing registration No. WB-60X/2992. The apprehended persons who were riding the motorcycle disclosed the name of the petitioner from whom they have received the incriminating materials. In course of search, total 400 grams smack/brown sugar was recovered.

4. Learned Advocate for the petitioner submitted that save and except the disclosure made by the apprehended persons, there is no material suggesting the complicity of the petitioner in crime. Moreover, the disclosure made by the



apprehended persons before the police has no evidentiary value. The motorcycle which is said to have been recovered does not belong to the petitioner. The fair antecedent of the petitioner also suggests that he had never been involved in such activity. During the course of investigation, no other materials have been collected which suggest the petitioner has any association with the apprehended persons.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that admittedly the commercial quantity of smack/brown sugar weighing 400 gms were recovered from the possession of the apprehended persons and it is he, who provided the narcotic substance.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of the materials available on record, especially the disclosure made by the apprehended persons as well as the recovery of commercial quantity of narcotic substance, besides the rigors provided under Section 37 of the NDPS Act, this Court is not acceded to the prayer for grant of anticipatory bail to the petitioner. Accordingly the same stands rejected.

7. However, if the petitioner surrenders within four



weeks from today, his prayer for bail shall be considered by the
court below without being prejudiced by the order of this Court.

(Harish Kumar, J)

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