

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6937 of 2026

Arising Out of PS. Case No.-9 Year-2025 Thana- NAKARDEI District- East Champaran

Deepak Sah @ Deepak Kumar @ Deepak Kumar Sah, Son of Late Nathu Sah, R/o Village - Virta Tola, Ward No. -01, Sirisiyamal, P.S. - Nakardei, Dist. - East Champaran, Bihar - 845305

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mohd. Rustam Hussain, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-02-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with N.D.P.S. Case No.174 of 2025 arising out of Nakardei P.S. Case No.9 of 2025 registered for the offences punishable under Section 111 of the Bhartiya Naya Sanhita, 2023 (in short 'B.N.S.') as well as Sections 8(c), 21(b) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'N.D.P.S.' Act).

3. The accused/petitioner is named in the FIR and is in custody since 08.10.2025.

4. As per FIR, total 94 grams of brown sugar was recovered from the possession of co-accused Radheyshayam



Yadav and Lalita Devi and from the tool-box of the motorcycle.

5. It is submitted by learned counsel appearing for petitioner that admittedly the contraband not appears to be recovered from physical possession of this petitioner rather from the physical possession of Radheshyam Yadav and Lalita Devi. It is pointed out that even the motorcycle from where 94 grams of brown sugar was recovered, nowhere appears to be connected with petitioner. It is pointed out that save and except suspicion arising out of disclosure made by apprehended co-accused persons, nothing incriminating appears against this petitioner. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence. The petitioner found involved in one more criminal case, where he is on bail.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by



taking note of fact as petitioner *prima facie* appears implicated with this case on the basis of suspicion, as discussed aforesaid, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 08.10.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Court No.-II, NDPS, East Champaran at Motihari in connection with N.D.P.S. Case No.174 of 2025 arising out of Nakardei P.S. Case No.9 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

Sanjeet/-

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