

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10768 of 2026

Arising Out of PS. Case No.-203 Year-2025 Thana- BRAHMPUR District- Buxar

Jai Bahadur Sah @ Jay Bahadur Sahu Son of Late Gopal Sah R/o Village -
Baruhan, P.S. - Bagengola, Distt. - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the State : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-04-2026 Heard Mr. Anil Kumar Singh, learned counsel for the

petitioner and Mr. Syed Mojibur Rahman, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
15.10.2025, in connection with Pre-Trial N.D.P.S. Case No.
BRBU10P0015632025/ Brahampur P.S. Case No. 203 of 2025,
F.I.R. dated 14.10.2025 registered for the offences punishable
under Sections 20(b)(ii), 8, 20(b) of N.D.P.S. Act.

3. The case relates to recovery of 4.36 Kgs. of
Ganja.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. She further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the



conscious possession of the petitioner rather recovery has been made from the motorcycle and altogether 4.36 Kgs. of *Ganja* was recovered from the motorcycle in question and it appears from the F.I.R. itself that there is non compliance of Sections 103 of the B.N.S.S., 2023 and the recovered contraband is less than the commercial quantity, so there is no embargo under Section 37 of the N.D.P.S. Act to enlarge the petitioner on bail. He further submits that the charge has been framed on 25.02.2026 and the petitioner is in custody since 15.10.2025.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case of similar nature other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact that the recovered contraband is less than the commercial quantity and the charge has been framed against the petitioner in the present case vide order dated 25.02.2026 itself, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Special Judge N.D.P.S. Act, Buxar in connection with Pre-Trial
N.D.P.S. Case No. BRBU10P0015632025/ Brahampur P.S. Case
No. 203 of 2025, subject to the following conditions :-

(1) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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