

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9381 of 2026

Arising Out of PS. Case No.-350 Year-2025 Thana- CHIRAIYA District- East Champaran

Bihari Rai Son of Late Sukhal Rai @ Late Sukhal Ray R/o Village -
Mohadipur, PS. - Chiraiya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Adv.

For the Opposite Party/s : Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 19-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
N.D.P.S. G.R. Case No. 108 of 2025 arising out of Chiraiya P.S.
Case No. 350 of 2025 registered for the offence punishable under
Sections 8, 17(b) and 18(b) of the N.D.P.S. Act and Section 111 of
the B.N.S., 2023.

3. The case of the prosecution in short is that altogether
1.01 kg of *opium* was recovered from the possession of one
Subodh Sah and from the possession of this petitioner, one mobile
was recovered.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. He also
submits that save and except mobile phone, nothing has been



recovered from the possession of this petitioner. He also submits that Subodh Sah on whose possession *opium* was recovered has already been granted bail by the learned coordinate bench of this court vide Cr. Misc. No. 7548 of 2026. He further submits that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 10.08.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge/Special Judge NDPS Act, East Champaran, Motihari in connection with N.D.P.S. G.R. Case No. 108 of 2025 arising out of Chiraiya P.S. Case No. 350 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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