

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12451 of 2026

Arising Out of PS. Case No.-162 Year-2025 Thana- SIKTA District- West Champaran

Narayan Kushwaha S/o Prabhunath Prasad R/o Village - Haripur, Purainiya,
P.S - Sikta, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 08-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 20 (b) (ii) (c), 23 (c), 25 and 29 of the NDPS Act.

3. The case of the prosecution, in brief, is that a total of 9.9 kg of ‘ganja’ and 300 grams of ‘charas’ were allegedly recovered from an auto.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the petitioner is merely the driver of the said vehicle and that the alleged contraband belonged to the passenger, who fled away from the spot. It is further submitted that nothing has been



recovered from the conscious possession of the petitioner.

5. It is also contended that the witnesses to the seizure list are all police personnel, and no independent witness has been associated with the seizure. It is further submitted that the mandatory provisions of Section 105 of the B.N.S.S. have not been complied with during the course of seizure. It is further argued that although the alleged recovery is more than small quantity, it is much less than the commercial quantity. The petitioner is in custody since 18.11.2025 and has criminal antecedent of one case.

6. Learned A.P.P. has vehemently opposed the prayer for bail.

7. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sikta P.S. Case No. 162 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, NDPS, Bettiah, West Champaran.

(Ashok Kumar Pandey, J)

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