

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12155 of 2026

Arising Out of PS. Case No.-670 Year-2025 Thana- Excise P.S. District- Gaya

Ramesh Barik Son of Nab Kishor Barik @ Navkishore Barik @ Naba Kishore Barik Resident of Village - Ghanipur, Ps- Dalang, Dist- Puri, Odisha

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 10-03-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Excise P.S. Case No. 670 of 2025, instituted for the offences punishable under Sections 8, 20(b)(ii)(c) of the NDPS Act.

3. Prosecution allegation, in short, is that there is recovery of total 22.012 Kg of Ganja out of which 6.8 Kg of Ganja has been recovered from the bag of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner has got no



concern with the alleged recovery of 6.8 Kg of Ganja. The petitioner has been arrested only on the basis of suspicion. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 25.06.2025 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the recovered contraband from the petitioner being below the commercial quantity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 670 of 2025.

(Rudra Prakash Mishra, J)

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