

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11678 of 2026

Arising Out of PS. Case No.-406 Year-2025 Thana- KOCHADHAMAN District- Kishanganj

Hareram Kumar S/o Shivji Mahto @ Shivaji Mahto R/o Village - Tarba
(Tarwan) Magarpal Ward no. 04, P.S - Dariyapur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 19-03-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Kochadhaman P.S. Case No. 406 of 2025, registered for the offence punishable under Sections 8, 21(b),(ii)(C) of the NDPS Act.

3. As per allegation, 12.345 kg of ganja is alleged to have been recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is a person of clean antecedent and is under custody since 17.10.2025. He further submits that there is violation of Section 50 of the NDPS Act. The petitioner is a man of means and there is no chance of his absconding and



tampering with the evidence. He further submits that the petitioner is ready to abide by the conditions which may be imposed by this Court.

5. Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

6. Considering the fact that 12.345 kg of ganja is alleged to have been recovered from the possession of the petitioner which is less than the commercial quantity, taking note of the fact that the petitioner has remained in custody since 17.10.2025 and presently, charge-sheet has also been filed in this case and also taking note of the fact that the petitioner has clean antecedent, let the petitioner above named, is directed to 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 the learned court below where the case is pending/successor court in connection with Kochadhaman P.S. Case No. 406 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.



(iii) In case of absence on two consecutive dates without substantial reason or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

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