

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13094 of 2026

Arising Out of PS. Case No.-173 Year-2025 Thana- BHAPTIAHI District- Supaul

1. Dilkhush Kumar Son of Sanjay Sah Resident of village- Thariya Punarwas, Ps- Kishanpur, Dist- Supaul
2. Mithilesh Kumar @ Mithilesh Kumar Sharma @ Mithlesh Kumar Son of Bagewa Ward No. 08, Murli, Ps- Bhaptiyahi, Dist- supal Resident of village- Lachhawar, Ps- Thawe, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate
For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 27-02-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 8/20 (b) (ii) (c), 25 and 29 of the NDPS Act.

3. The case of the prosecution is that on receiving secret informant that ‘ganja’ was being transported in a bus named Om Shiv Shakti bearing Registration no. BR50P-7141, the police intercepted the said bus. The bus was allegedly full of passengers. It is further alleged that a co-driver of the bus disclosed that certain bags kept in the ‘dicky’ belongs to the petitioners. Upon search, 70.800 K.G. ‘ganja’ like substance



was recovered from those bags. It is further alleged that two persons attempted to flee from the bus, one of whom was the driver and both allegedly managed to escape from the spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in connection with the present case. It is further submitted that one of the persons, who had fled from the bus is Raja and the alleged contraband was being transported at his instance. The petitioners are merely passengers traveling in the said bus and have no concern with the seized bags. The bags which are being recovered from the '*dicky*' of the bus does not belong to them. It is further submitted that they are labourers and having no criminal antecedent. Moreover, the petitioners are languishing in judicial custody since 06.08.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioners are directed to be released on bail in connection with NDPS Case No. 85 of 2025 arising out of Bhaptiyahi P.S. Case No. 173 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 Sessions Judge,
Supaul.

(Ashok Kumar Pandey, J)

Jagdish/-

U		T	
---	--	---	--

