

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17383 of 2026

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

Ajay Kumar @ Ajay Sahani S/O Anant Lal Sah R/O Village- Lakshminiya
Ward no. 14, PS- Gamhariya, Distt- Madhepura Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-03-2026 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 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 the petitioner being the co-driver of the bus disclosed that certain bags kept in the ‘dicky’ belongs to the Dilkhush Kumar and Mithilesh Kumar. 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 petitioner submits that the petitioner is innocent and has 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 petitioner is the co-driver of 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 him. It is further submitted that the petitioner is merely the co-driver and he is having no criminal antecedent. Moreover, the petitioner is 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 petitioner is 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)

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