

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22006 of 2026**

Arising Out of PS. Case No.-68 Year-2025 Thana- HARPUR District- East Champaran

Gopi Mahto@Gopi Chandra Mahto, S/o Mahendra Mahto, Resident of  
Village- Sagar Churaman, P.s.- Kesariya, District- East Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      07-04-2026                      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 Section 111(2) of B.N.S. read with Sections 8, 23(c), 20 (b)(ii)(c), 25 and 29 of the NDPS Act.

3. The case of the prosecution is that from the backpack of this petitioner, altogether 13.8 Kg. of ‘ganja’ was recovered.

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 while making seizure, police have not complied Section 105 of the BNSS Act and the witnesses of the seizure list are police personnel. It has also been submitted that the quantity of



contraband, which has been recovered from the possession of this petitioner, is though more than small quantity but much less than commercial quantity. Nothing has been recovered from the conscious possession of this petitioner. Moreover, the petitioner is languishing in judicial custody since 26.05.2025 having no criminal antecedent. Learned counsel has further submitted that similarly situated other co-accused persons have been granted bail by this Court vide Cr. Misc. No. 84037 of 2025 and 10648 of 2026.

5. Learned APP appearing for the State has 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 Harpur P.S. Case No. 68 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, Court No.II, under NDPS Act, East Champaran.

(Ashok Kumar Pandey, J)

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