

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21011 of 2026**

Arising Out of PS. Case No.-7 Year-2026 Thana- HARSIDHI District- East Champaran

1. Dablu Kumar S/O Sanjay Mahto R/O Village- Visamra, Ward No.-6, P.S- Majholiya, Distt.- West Champaran.
2. Vishal Kumar S/O Birendra Yadav @ Virendra Yadav R/O Village- Visamra, Ward No.-6, P.S- Majholiya, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Madhuri Lata, APP

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

2      02-04-2026      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 20 (b) (ii) (c), 23 (c), 29, 25 and 22 (c) of the NDPS Act.

3. The prosecution case, in brief, is that a bag, alleged to have been thrown by the petitioner, was recovered, from which a total of 2.064 kg of ganja-like contraband was seized.

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 nothing has been recovered from the conscious possession of



the petitioners. It is further submitted that the bag, from which the alleged recovery has been made, does not belong to the petitioners. It is also submitted that the witnesses to the seizure list are police personnel and that the mandatory provisions of Section 105 of the B.N.S.S. have not been complied with. It is further contended that although the alleged recovery is more than the small quantity, it is much less than the commercial quantity; as such, the rigours of Section 37 of the N.D.P.S. Act would not apply.

5. Learned A.P.P. has opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Harsidhi P.S. Case No. 7 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, East Champaran, Moitihari.

**(Ashok Kumar Pandey, J)**

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