

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23700 of 2026

Arising Out of PS. Case No.-455 Year-2024 Thana- HARSIDHI District- East Champaran

Joshi Sahani @ Bhupendra Kumar S/O Sanjay Chaudhary @ Sanjay Sahani
R/O Vill.- Bairiadih, P.s- Harsidhi, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.K. Lal, Adv
		Mr. Rajesh Kumar, Adv
For the Opposite Party/s	:	Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 06-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Harsidhi P.S. Case No. 455 of 2024 registered for the offence punishable under Sections 20(B) ii(c), 23(C), 29, 25 and 22(b)(c) of NDPS Act.

3. The case of the prosecution, in short, is that on 23.08.2024, the informant received secret information that a person coming from Chhapwa on a motorcycle was carrying charas. During vehicle checking, at about 15:00 hours, two persons on a motorcycle were spotted carrying yellow packets. On seeing the police, they tried to flee but were apprehended. They disclosed their names as Sajan Kumar and Raju Kumar.



Upon search, in the presence of witnesses and the Magistrate, 30 kg of charas (60 packets of 500 grams each) was recovered. During interrogation, Raju Kumar revealed that the contraband was brought from the Nepal border on the instructions of accused Joshi Sahani (the petitioner herein), who stored and supplied it to Delhi and Mumbai. Based on this, a raid was conducted at Joshi Sahani's house. Although he managed to escape, 30.5 kg of charas (61 packets of 500 grams each) was recovered from his house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to village politics. His name has come in the confessional statement of co-accused. Recovery has been made from a joint house. He further submits that the petitioner has no concern in transportation of narcotics and the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail.

6. From a careful perusal of the allegations levelled in the FIR, it appears that the petitioner is named accused in the FIR and the apprehended co-accused Raju Kumar has disclosed that the petitioner along with him are indulging in transporting



of narcotics and huge quantity of charas (commercial quantity) was recovered from the house of the petitioner. The embargo under Section 37 of NDPS Act therefore comes into play. There is nothing at this stage to satisfy this Court that there is reasonable ground for believing that the petitioner-accused is not guilty and he is not likely to commit any offense while on bail. Considering these aspects of the matter and particularly, keeping in view the nature of allegation in huge recovery of intoxicant substances, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

7. Accordingly, the present anticipatory bail application stands rejected.

(Alok Kumar Sinha, J)

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