

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23311 of 2026

Arising Out of PS. Case No.-145 Year-2025 Thana- Haraiya District- East Champaran

Surendra Das S/o Nathuni Das Resident of Village - Tumariya Tola, Ward No.
4, P.S - Haraiya, District -East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Narcotics Control Bureau (N.C.B), Bihar, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for grant of regular bail
in connection with a case registered for the offences punishable
under Sections 8 and 20(b)(ii)(B) of the NDPS Act.

3. The case of the prosecution, in brief, is that the
police received secret information that two persons riding a
motorcycle were coming from the Nepal side carrying
contraband. Acting upon such information, the said motorcycle
was intercepted and two persons were apprehended, who were
identified as the petitioner and one Vishal Kumar. It is further
alleged that a total of 745 grams of charas-like contraband was



recovered from the leg guard of the motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is contended that no recovery has been made from the conscious possession of the petitioner. From perusal of the seizure list, it appears that the alleged recovery has been shown jointly from two persons, namely the petitioner and one Vishal Kumar. It is further submitted that the witnesses to the seizure list are police personnel, and the mandatory provisions of Section 105 of the BNSS have not been complied with during the seizure. It is also argued that although the alleged recovery is more than small quantity, it is much less than commercial quantity. The petitioner is in custody since 19.11.2025 and has no criminal antecedent.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. Accordingly, the above-named petitioner is directed to be released on bail in connection with Haraiya P.S. Case No. 145 of 2025, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each, to the



satisfaction of the learned Sessions Judge/Special Judge, East
Champaran, Motihari.

(Ashok Kumar Pandey, J)

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