

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24873 of 2026

Arising Out of PS. Case No.-275 Year-2025 Thana- RAJEPUR District- East Champaran

Awadhesh Ray @ Awadh Ray S/o Mahendra Ray R/o Village- Naraha Chandi
Dhab, PS- Rajepur, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Usha Kumari, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 15-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Rajepur P.S. Case no. 275 of 2025 instituted for the offence under Sections 8, 20 (b) (ii) (c) and 25 of the NDPS Act.

3. The case of the prosecution is that altogether 28.536 K.G. Ganja like contraband was recovered from the possession of Ramu Rai.

4. Learned counsel for the petitioners has submitted that 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 this petitioner. The name of the petitioner has surfaced on the



basis of the confessional statement of co-accused, namely, Ramu Rai. It is further submitted that the Hon'Ble Apex Court has held in the case of **Toofan Singh Vs. State of Tamil Naidu** that confessional statement of co-accused is not a legal material even in the case of the NDPS Act.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Rajepur P.S. Case no. 275 of 2025, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Court No. 1, NDPS, Motihari, East Champaran, subject to the conditions as laid down under section 438(2) of the Cr.P.C/ Section 482 (2) of the BNSS.

(Ashok Kumar Pandey, J)

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