

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25619 of 2026

Arising Out of PS. Case No.-21 Year-2026 Thana- BHAGWANGANJ District- Patna

Dharmendra Chaudhary @ Dharmendra Choudhary S/O Bundela Chaudhary
@ Bundel Chaudhary R/O Vill.- Kharauna, P.S- Bhagwanganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Bhagwanganj P.S. Case No. 21 of 2026, registered for the offences under Sections 8A(c)/ 20(B)IIB of the NDPS Act.

3. As per the prosecution case, recovery of 1.450 kg *ganja* was made from the roof of the house of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Nothing incriminating has been recovered from his person or possession. The mandatory provisions of the NDPS Act regarding search and seizure has not been followed. The house of the petitioner is a joint family



house and the seizure has not been made from inside the house of the petitioner. Learned counsel further submits that on the occasion of Shivratri, some *ganja* plants were brought for worship and the neighbour of the petitioner with whom he has land enmity got the petitioner falsely implicated in the present case. Learned counsel further submits that moreover the quantity of *ganja* is much less than the commercial quantity though it is more than the small quantity. The petitioner is having clean antecedent and he is in custody since 15.02.2026.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the intermediate quantity of seized contraband and also considering his period of custody, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Special Judge (NDPS) Patna/concerned court, in connection with Bhagwanganj P.S. Case No. 21 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close



relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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