

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27236 of 2026

Arising Out of PS. Case No.-25 Year-2026 Thana- GORIAKOTHI District- Siwan

Harendra Pandey S/o Late Pahwari Pandey R/o Village - Hullash Chapra, P.S
- Gorla Kothi, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Adv.

For the Opposite Party/s : Md. Mustaque, APP.

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

3 20-07-2026 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Goreyakothi P.S. Case No. 25 of 2026, registered for the offences punishable under Sections 20(B)(ii) (c), 22 of the NDPS Act languishing in custody since 19.01.2026.

3. The prosecution case, in brief, is that on 19.01.2026, at about 08:00 A.M., the informant, who was posted as the SHO, Goreyakothi, received information regarding the illegal storage of *ganja*. Acting upon the said information, a raid was conducted at the house of the petitioner, Harendra Pandey. It is alleged that during search, 4



kg of ganja was recovered from the room and a further 6.300 kg of ganja was recovered from a white Breeza car bearing registration no. BR-29Z-3482, thus, a total of 10.300 kg of ganja was recovered. On the basis of the said recovery, the petitioner has been implicated in the present case.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. Nothing has been recovered from his conscious possession. He has further submitted that the petitioner is aged about 60 years and has been falsely implicated solely on account of his close association with co-accused, Deepak Sahani, as stated in paragraph no. 10 of the bail application. He has further submitted that the quantity of recovered *ganja* allegedly is much below the commercial quantity and falls within the ambit of an intermediate quantity. He has also submitted that the petitioner has one criminal antecedent, as mentioned in paragraph no. 3 of the bail application, in which, he is on bail.

5. On the other hand, learned APP for the State has opposed the prayer for bail and submitted that the recovery is of intermediate quantity. He has further submitted that the charge-sheet has already been submitted in the present case.



6. Taking into account the entire facts and circumstances of the case, as well as the fact that the petitioner is aged about 60 years and the quantity recovered is not a commercial quantity, let the petitioner above-named, is directed to furnish bail bond and on doing so, the court below shall release the petitioner on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Siwan/concerned court in connection with Goreyakothi P.S. Case No. 25 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than the case as mentioned



in para-3 of the bail petition, his bail bond will not be accepted.

(v) It is also made clear that there shall not be any delay in verifying the criminal antecedent of the petitioner.

(vi) If he repeats any offence, his bail bond shall be liable to be cancelled immediately by the learned court below.

(Raj Kumar, J)

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