

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28026 of 2026

Arising Out of PS. Case No.-35 Year-2026 Thana- PALANWA District- East Champaran

Chokat Gaddi S/o Late Jahoor Gaddi Resident of village - Babuliya, Babuiya,
P.S - Palanwa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8, 20 (b) (ii) (a) and 22 (c) of the NDPS Act.

3. The case of the prosecution is that, in short, is that altogether 7.180 K.G. of ganja like substance was allegedly recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that all the witnesses to the seizure list are police personnel and the police had not complied



the mandatory provision of section 105 of the BNSS while making the seizure. It is further submitted that the alleged recovery is more than small quantity but much less than commercial quantity. Moreover, the petitioner is languishing in judicial custody since 04.02.2026 having criminal antecedent of three cases of different nature.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Palanwa P.S. Case No. 35 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

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