

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28878 of 2026

Arising Out of PS. Case No.-37 Year-2026 Thana- HARLAKHI District- Madhubani

1. Pulesh Kumar Yadav son of Late Shri Yadav Resident of Village- Sabela, P.S. -Sabela, District- Dhanusha, Nepal
2. Roushan Kumar Shah Son of Bir Bahadur Sah Resident of Village- Sabela, P.S. -Sabela, District- Dhanusha, Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioners have prayed for bail in connection with Harlakhi P.S. Case No. 37 of 2026 corresponding to G.R. No. 06 of 2026 registered for the offence punishable under Sections 20, 22 of the N.D.P.S. Act.

3. The case of the prosecution, in short, is that from the possession of these petitioners, altogether 2.990 kg *ganja* was recovered.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. He also submits that nothing has been recovered from the



possession of these petitioners. The witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. He further submits that the alleged recovery of contraband is though more than small quantity but is much less than commercial quantity. Moreover, a statement has been made in para 3 of the petition that petitioners have no criminal antecedent and they are languishing in judicial custody since 03.02.2026.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned District & Sessions Judge, Madhubani in connection with Harlakhi P.S. Case No. 37 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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