

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30334 of 2026

Arising Out of PS. Case No.-48 Year-2026 Thana- NAUTAN District- West Champaran

1. Sandeep Patel Son of Sri Ajay Patel Resident of village - Sinvatiya Badai Ward no.-3 , Ps- Ramnagar, Dist- West Champaran
2. Santosh Patel Son of Sri Baliram Patel @ Balram Raut Resident of village - Narayanapur yadav Tola, ps- Ramnagar, Dist- West Champaran
3. Subodh yadav son of Mainejar yadav Resident of village -Ramnagar Mudiya Tola, Ps- Ramnagar, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 30455 of 2026

Arising Out of PS. Case No.-48 Year-2026 Thana- NAUTAN District- West Champaran

Shambhu Chaudhary @ Shambhu Sahani S/O Late Sukhdeo Chaudhary
Resident Of Village - Nayatola, Jharokhad (Rajokhad), Ward No.- 09, P.S-
Gopalganj, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 30334 of 2026)

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate
Mr. Umesh Chandra Verma, Advocate
Mr. Harsha Shaswat, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

(In CRIMINAL MISCELLANEOUS No. 30455 of 2026)

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 11-05-2026 Since both the applications arise out of Nautan P.S.

Case No. 48 of 2026, as such, they have been taken up jointly

and are being disposed of by this common order.

2. Heard learned counsel for the petitioners and

learned APP for the State.



3. In the present case, the petitioners seek bail in connection with Nautan P.S. Case No. 48 of 2026 registered for the alleged offences under Sections 8/20(b) (ii) (B) of the Narcotic Drug and Psychotropic Substances Act.

4. As per prosecution case, police received information about three persons in an electric Auto bringing psychotropic substances for sell. The raiding party intercepted the said electric Auto and three persons sitting in the said electric Auto and one standing outside started running on seeing the police party and they were apprehended. On search of the electric Auto, recovery of 3.748 grams of *Ganja* was made.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The mandatory provisions regarding search, seizure and sealing have not been followed and even the provisions of Section 103 of BNSS has been flouted. The quantity of *Ganja* recovered is 3.748 grams which is much less than the small quantity of 1 kg. The petitioners are not previous convicts and and they are having clean antecedent. The petitioners are in custody since 23.01.2026.

6. Learned APP for the State opposes the submission made on behalf of the petitioners. Learned APP submits that three petitioners were found sitting in the Auto from which



recovery of 3.748 grams of *Ganja* was recovered.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of contraband recovered and also considering the period of custody of the petitioners and their clean antecedents, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS Act, West Champaran, Bettiah/court concerned in connection with Nautan P.S. Case No. 48 of 2026, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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