

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30035 of 2026

Arising out of PS. Case No.-26 Year-2026 Thana- BHITAHA District- West Champaran

Raj Patel, S/o- Sri Suresh Patel @ Suresh Kumari, R/v- Rupahi Tand, PS-
Bhitaha Dist- West Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in Bhitaha P.S. Case No.
26 of 2026 registered for the offences punishable under Sections
8/20(b) (ii) (B) of NDPS Act and Section 27-A of the NDPS
Act.

3. The allegation is that 2.50 Kgs ganja was recovered
from the possession of the petitioner and total recovery is 8.880
Kgs.

4. Learned counsel for the petitioner submits that
even if the entire quantity is taken into consideration the same
would fall much below the commercial quantity and the bar
under Section 37 of NDPS Act would not be attracted.

5. Learned Additional Public Prosecutor for the State
has vehemently opposed the prayer for bail of the petitioner.

6. Considering the intermediate quantity of contraband



as well as clean antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, under NDPS Act, West Champaran at Bettiah, in connection with Bhitaha P.S. Case No. 26 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita.

9. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

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