

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32051 of 2026

Arising Out of PS. Case No.-69 Year-2026 Thana- KUNDWACHAINPUR District- East
Champaran

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Rameshwar Sah @ Rameshwar Shah, Son of Late Panchan Sah, Resident of
Village- Kharua, P.S.- Kundwa Chainpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-05-2026 Heard the parties.

2. Petitioner seeks regular bail in connection with Kundwa Chainpur P.S. Case No. 69 of 2026 registered for the offences punishable under sections 8 & 20(b)(ii)(A) of the NDPS Act and sections 30(a) & 41(1) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case merely on suspicion and nothing incriminating has been recovered from his conscious possession and the alleged recovery was made from a shop accessible to the public at large. It is further submitted that the alleged quantity of recovered *ganja* is small quantity and the petitioner has no concern with the same and the recovered cash belongs to the petitioner and was kept for construction of his house. It is further submitted that there has been non-compliance of the mandatory provisions of



Section 42(1) and 42(2) of the NDPS Act inasmuch as the secret information was neither reduced into writing nor communicated to superior officers and the mandatory provisions relating to sampling and seizure under Sections 51 to 57 of the NDPS Act were also not complied with. It is lastly submitted that the petitioner has been languishing in jail since 19.02.2026 and except one antecedent of the year 2008, in which he is already on bail, he has no criminal antecedent.

4. Learned APP for the State has opposed the prayer of the petitioner.

5. In the facts and circumstances of this case and considering the statements made in the petition as well as above submissions, coupled with the quantity of the alleged contraband which is relevant to the alleged offences of the NDPS Act and Excise Act, under which the FIR has been registered, this Court is inclined to release him on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Kundwa Chainpur P.S. Case No. 69 of 2026.

(Shailendra Singh, J)

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