

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32474 of 2026

Arising Out of PS. Case No.-35 Year-2026 Thana- DHANAHA District- West Champaran

Lalan Yadav Son of Vishwanath Yadav Resident of village - Rupahi Tand,
P.S.- Bhitaha, District - 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. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 23-07-2026 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner, who is in custody in connection with Dhanaha P.S. Case No. 35 of 2026, lodged on 17.04.2026, under Sections 20(b)(ii)(B) of the N.D.P.S. Act, pending in the Court of learned Exclusive Special Judge, N.D.P.S. Act, West Champaran at Bettiah.

3. As per the prosecution, FIR has been lodged against the sole petitioner. Total recovery of 6.246 Kgs of Ganja has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



submits that the recovery of alleged 6.246 Kgs of Ganja like substance has not been recovered from his exclusive conscious possession. Counsel further submits that petitioner was apprehended on suspicion on mistaken identity whereas the real culprit fled away leaving the scooty with plastic bag in its dickey. He submits that the petitioner is neither the owner of the scooty nor any concern with the contraband articles being carried from the scooty. He submits that the recovered ganja is much below the commercial quantity. He submits that antecedent of the petitioner is not clean and he is in custody since 18.01.2026.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that recovery has been made from the petitioner's conscious possession as the recovery of ganja has been made from the dickey of the scooty on which the petitioner was arrested upon chase.

6. Considering the recovery of ganja from the conscious possession of the petitioner and criminal antecedents, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is hereby refused.

(Dr. Anshuman, J)

Mkr./Anshuman/

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