

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40095 of 2026**

Arising Out of PS. Case No.-10 Year-2026 Thana- SUKHANI District- Kishanganj

Sachindra Roy Son of - Late Mahendra Roy Resident of Village- Rakhal  
Mari, P.S.- Sahebganj, District- Coochbihar (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      29-06-2026                      Heard Mr. Ram Prawesh Kumar, learned counsel for  
the petitioner and Mr. Kumar Ranjit Ranjan, learned Additional  
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
14.02.2026 in connection with Sukhani P.S. Case No. 10 of  
2026, F.I.R. dated 13.02.2026 for the offences punishable under  
Sections 8(C) and 20(B)(ii)B of the N.D.P.S. Act.

3. Recovery is of 2.950 Kg of Ganja.

4. Learned counsel for the petitioner submits that  
petitioner has clean antecedent and he has falsely been  
implicated in the present case. He further submits that it appears  
from the F.I.R. as well as seizure list that 2.950 kg Ganja like  
substance has been recovered from the possession of the  
petitioner. He further submits that there is non-compliance of



the mandatory provision of Sections 42 and 50 of the N.D.P.S. Act and it appears that the recovered contraband is less than the commercial quantity. Hence, there is no embargo under Section 37 of the N.D.P.S. Act for grant of bail to the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 14.02.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the recovery has been made from the possession of the petitioner but fairly submits that the recovered contraband is less than the commercial quantity.

6. Considering the aforesaid facts and circumstances and the fact that the recovered contraband is less than the commercial quantity, 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 Sessions Judge-cum-Special Judge (NDPS) Act, Kishanganj in connection with Sukhani P.S. Case No. 10 of 2026, subject to the following conditions:-

i. One of the bailors shall be the wife of the petitioner, namely, Rekha Roy.



ii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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