

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39436 of 2026

Arising Out of PS. Case No.-30 Year-2026 Thana- Haraiya District- East Champaran

Rajan Sahani Son of Lalbabu Sahani Resident of Village - Along, Ward no.
-17, P.S.- Chandal Chowk, District- Parsa, Nepal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2026 Heard Mr.Abhishek Kumar, learned counsel for the
petitioner and Mr.Ajay Kumar Jha, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
19.02.2026 in connection with Haraiya P.S. Case No. 30 of
2026, NDPS G.R. Case No.56 of 2026, F.I.R. dated 18.02.2026
registered for the offence punishable under Sections 20(b)(ii)
(c)/23(c) of N.D.P.S.Act.

3. Recovery is of 5.480 Kg of Ganja.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. He further
submits that it appears from the FIR as well as seizure list that
altogether 5.480 Kg of Ganja like substance has been recovered
from the motorcycle in question and petitioner was apprehended
alongwith co-accused person, namely, Dry Sahani @ Darai



Sahani. In fact the petitioner has taken lift on the motorcycle of co-accused and petitioner has no knowledge that co-accused was carrying the Ganja, apart from that, the recovered Ganja 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. Further submits that co-accused person, namely, Dry Sahani @ Darai Sahani has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 22.06.2026 passed in Cr. Misc. No.39488 of 2026, and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 19.02.2026.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, recovered contraband is less than the commercial quantity and co-accused person has been granted bail by a Coordinate Bench of this Hon'ble Court, 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 learned Sessions Judge/Special Judge, East Champaran, Motihari in connection with Haraiya P.S. Case No. 30 of 2026, NDPS G.R. Case No.56 of 2026, with the



following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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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