

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39499 of 2026

Arising Out of PS. Case No.-40 Year-2026 Thana- BALTHAR District- West Champaran

Adalat Sah @ Adalat Sah Kanu S/O Bhikham Sah @ Bhikham Sah Kanu R/O
Village-Jhalmahiya, PS-Budgai, Distt-Parsa(Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 8, 20(b) (ii) (B), 27 (A), 25, 29 of the N.D.P.S. Act.

3. The case of the prosecution, in short, is that three persons along with the petitioner were riding a bike and from the possession of this petitioner altogether 2.950 kg of Ganja was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Learned counsel for the petitioner has further been submitted that nothing has been recovered from the possession of this petitioner. Petitioner was merely driving the



said bike. It has further been submitted that the seizure list witnesses are police personnel and police has not complied section 105 of the BNSS while preparing the seizure. It has further been submitted that alleged recovery of contraband is though more than small quantity but is much less than commercial quantity. He has been falsely implicated in this case. A statement has been made in para-3 that the Petitioner is having no criminal antecedent. Moreover, he is languishing in judicial custody since 28.02.2026.

5. Learned APP appearing for the State has vehemently opposed the application for bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (N.D.P.S.), Bettiah, West Champaran in connection with Balthar P.S. Case No. 40 of 2026.

(Ashok Kumar Pandey, J)

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