

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40167 of 2026

Arising Out of PS. Case No.-26 Year-2026 Thana- BHITAHA District- West Champaran

Abbas Ali S/o Naushad Mian R/o Village- Rupahi di, P.S- Bhitaha, Dist-
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Advocate. Mr. Sharad Kumar Verma, Advocate. Ms. Harsha Shashwat, Advocate.
For the Opposite Party/s	:	Mr. Md. Aatur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Bhitaha P.S. Case No. 26 of 2026 registered for the offence
punishable under Sections 8/20 (b) (ii) (B) of the N.D.P.S. Act.

3. The case of the prosecution, in short, is that from a
bike, which was being driven by the petitioner, there were
altogether 3 persons on two bikes, and from the bike that was
being driven by this petitioner, altogether 5.780 kg of *ganja* was
recovered, and from the other bike, 2.5 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. He has been falsely implicated in this case. He also submits that nothing has been recovered from the possession of the petitioner. The witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. He further submits that the alleged recovery of contraband is though more than small quantity but is much less than commercial quantity. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 08.02.2026.

5. The application for bail is opposed by learned APP for the State.

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, NDPS Act, West Champaran, Bettiah in connection with Bhitaha P.S. Case No. 26 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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