

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46292 of 2026

Arising Out of PS. Case No.-566 Year-2025 Thana- JAMUI District- Jamui

Kanhaiya Sah @ Kanhaiya Saw S/o Late Narayan Sah Resident of Village -
Nima, P.S. and Dist. - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Abdul Manan Khan, Advocate
	Mr. Vivek Raj, Advocate
For the Opposite Party/s :	Mr. Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jamui
P.S. Case No. 566 of 2025, instituted for the offences punishable
under Sections 8, 20(b)(ii)(B), 25 and 29 of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 6.10 Kg of Ganja from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner
also submits that the alleged recovery has been made from the
house of the petitioner and not from the possession of the



petitioner. It is further submitted that the petitioner has got no concern with the alleged recovery of Ganja. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 08.10.2025 and has got two criminal antecedents in which he has already been acquitted. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the recovered contraband being below the commercial quantity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jamui P.S. Case No. 566 of 2025.

(Rudra Prakash Mishra, J)

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