

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43250 of 2026

Arising Out of PS. Case No.-20 Year-2026 Thana- RATANPUR District- Supaul

Bisheshwar Sharma S/o Late Madhu Sharma R/o Village - Dumri, Ward No.
2, P.S - Karjain, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawaz Shareef
For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 03-07-2026 Heard the learned counsel for the petitioner and learned APP for the State. A supplementary affidavit has been filed and the same is taken on record.

2. The petitioner seeks regular bail in connection with Ratanpura P.S. Case No. 20 of 2026 registered for the offence under Section(s) 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 8(c), 20(B)(ii)(C), 25 and 29 of the Indian Penal Code.

3. As per the prosecution case, there is recovery of 38 Kg of illicit ganja from *Bishundeo Chaudhary* and *Binod Sah*, who was travelling in the tempo.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. The petitioner is in custody since 22.02.2026 and claims a clean



antecedent. He further submits that the petitioner is the owner-cum-driver of the tempo in question and is not involved in the crime. He also submits that the owner-cum-driver is not required to inquire about the goods being carried by the passengers.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the fact that the alleged ganja was recovered from the aforesaid two persons, the petitioner being the driver-cum-owner of the tempo, the clean antecedents of the petitioner and the period of custody, this application for bail is allowed.

7. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Ratanpura P.S. Case No. 20 of 2026 subject to conditions that:-

(i). The petitioner will mark his attendance at the Karjain Police Station on the first Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(ii) The petitioner shall appear in



the trial regularly either personally or through his lawyer and shall cooperate in the trial and non-cooperation in the trial shall result in cancellation of the bail bond of the petitioner.

8. The grant of bail to the petitioner shall not be claimed as a matter of parity by the aforesaid two accused persons for the grant of bail.

9. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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