

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45491 of 2026

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

Sahabuddin S/o Nasib Resident of village - Rupahi Dih, P.S.- Bhitaha, Distt.-
West Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhitaha P.S. Case No. 26 of 2026. registered for the offences punishable under Sections 8/20(b)(ii)(B) of the N.D.P.S. Act & Section 27-A of the N.D.P.S. Act.

3. As per the prosecution case, from the motorcycle in which the petitioner and co-accused Abbas Ali were seated, altogether 5.780 gram of Ganja was recovered and from the other motorcycle 2.5 kg of Ganja was recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that nothing has been recovered from the conscious possession of the petitioner. It has



also been submitted that the procedure prescribed under Section 105 of the B.N.S.S. has not been followed. It has further been submitted that the alleged recovery of *ganja* from the petitioner is less than commercial quantity. It has also been submitted that co-accused Abbas Ali has been granted the privilege of bail by Co-ordinate Bench of this Court by order dated 23.06.2026 passed in Cr. Misc. No. 40167 of 2026. Lastly, it has been submitted that the petitioner has got clean criminal antecedents and he is in custody since 08.02.2026.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances of the case, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran, in connection with Bhitaha P.S. Case No. 26 of 2026.

8. The application stands allowed.

(Praveen Kumar, J)

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