

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44381 of 2026

Arising Out of PS. Case No.-142 Year-2025 Thana- BHITAHA District- West Champaran

Shambhu Bin S/o Shri Jangbahadur Bin Resident of village - Rupahi Tand,
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 ASHOK KUMAR PANDEY
ORAL ORDER

2 08-07-2026 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) of the N.D.P.S. Act.

3. The case of the prosecution is that from the house of this petitioner, altogether 1.804 kg of ganja like substance was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Nothing has been recovered from the possession of this petitioner. Learned counsel for the petitioner has submitted that while making seizure, Section 105 of B.N.S.S. has not been complied and the seizure list witnesses



are police personnel. From perusal of the seizure list, it transpires that it does not bear the signature of the family members of the petitioner. Though it is alleged that the recovery has been made from the house of this petitioner. It has also been submitted that though the quantum of the contraband which has been recovered from the possession of this petitioner is more than small quantity but is much less than commercial quantity. Moreover, the petitioner is languishing in judicial custody since 21.01.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular 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 released on bail in connection with Bhitaha P.S. Case No. 142 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, NDPS Act, West Champaran at Bettiah.

(Ashok Kumar Pandey, J)

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