

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48302 of 2026

Arising Out of PS. Case No.-108 Year-2026 Thana- Excise Jhanjharpur District- Madhubani

Shyam Bhagat Son of Late Lakhan Bhagat Resident of Village - Purani Bazar,
Ward No. 05, P.S.- Jhanjharpur, District - Madhubani, State - Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivnandan Bharti, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with GR No. 69 of 2026 arising out of Excise(Jhanjharpur) PS Case No. 108 of 2026, registered for the offences under Sections 8(c), 20(b)(ii)(C) of the NDPS Act.

3. As per the prosecution case, recovery of 6.918 kg of *ganja* was made from an alley adjacent to the house of the petitioner who had been trying to conceal it in a carton and the petitioner was apprehended.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Petitioner is aged about 74 years and is having clean antecedent. The alleged recovery is less than



the commercial quantity. Learned counsel further submits that the true fact of the case is that the petitioner has got a small house and some one threw the carton of *ganja* near his house and he was apprehended on suspicion by the police. The petitioner is in custody since 26.05.2026.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the less than the commercial quantity of *ganja*, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of concerned court, in connection with GR No. 69 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.



(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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