IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49513 of 2026

CNR No. BRHC010694442026

Arising Out of PS. Case No.-227 Year-2026 Thana- BIDUPUR District- Vaishali

==========

1. Pappu Das S/O Shankar Das R/O Village- Rampur Shyamchand, P.S- Raghopur, District- Vaishali.

2. Satendra Kumar S/O Amarjeet Ray R/O Village- Haibatpur, P.S- Raghopur, District- Vaishali.

3. Bablu Kumar S/O Suresh Das R/O Village- Rampur , P.S- Raghopur, District- Vaishali.

4. Gariban Das S/O Balkisun Das R/O Village- Rampur , P.S- Raghopur, District- Vaishali.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Subhash Kumar, Advocate
For the Opposite Party/s : Mrs. Sharda Kumari, APP

==========

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

6 27-10-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Bidupur P.S. Case No. 227 of 2026 instituted for the offences under Sections 8, 20(b)(II)(c) of the N.D.P.S. Act.

3. Prosecution allegation, in short, is that the police

WEB COPY

apprehended accused persons including the petitioners and recovered total 28.820 kg of *ganja* from E-rickshaw.

4. Learned counsel for the petitioners submits that the petitioners are innocent and has falsely been implicated in the present case. The petitioners are in custody since 13.05.2026 and have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating article has been recovered from the conscious possession of the petitioners rather the recovery has been made from the E-rickshaw. Learned counsel further submitted that petitioners are not the owner or driver of the alleged E-rickshaw and were merely travelling as passengers and had no knowledge that the said vehicle was loaded with the contraband. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act as also of Section 105 of the BNSS.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial

WEB COPY

quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioners.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	

WEB COPY