

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57391 of 2025

Arising Out of PS. Case No.-889 Year-2024 Thana- SHASTRINAGAR District- Patna

1. Usha Devi W/o Sanjay Yadav R/o PWD Jhoparpatty, P.S.- Shastrinagar, District- Patna, Bihar
2. Sanjay Yadav @ Sanjay Kumar S/o Bindeshwar Rai R/o Akhada ke piche, Danapur, Distt.- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Deep

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 06-02-2026 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Shastrinagar P.S. Case No. 889 of 2024 registered for the offences punishable under Sections 30(a) Excise Act and Section 8/20(B)iiA of NDPS Act.

3. As per FIR, 240 grams of *Ganja*, 49.680 Lt of foreign made liquor and 55 Lt of country made liquor were recovered from various rooms of the laboratory. Petitioners alleged to run away after seeing the police and their name was disclosed by nearby persons.



4. It is submitted by learned counsel appearing on behalf of the petitioners that *Ganja* as alleged to be recovered is less than smaller quantity and that to from a public laboratory which is accessible by general public and merely on the basis of suspicion as the name of petitioners was disclosed by nearby persons, they were implicated with present case, same is about the recovery of foreign made and country made liquor. It is pointed out that seizure list also not appears supported by independent witnesses rather by police personals and moreover petitioners are of clean antecedent.

5 Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as recovery of alleged contraband which is less than smaller quantity and also foreign made and country made liquor *prima-facie* not appears recovered from conscious physical possession of the petitioner, accordingly both above-named petitioners, in the event of their arrest or surrender before the court



below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge/ Spl. Judge NDPS, Patna Sadar /concerned Court, where the case is pending in connection with Shastrinagar P.S. Case No. 889 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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