

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65361 of 2025

Arising Out of PS. Case No.-508 Year-2025 Thana- Excise P.S. District- Gaya

Manji Sah @ Manji Gaud @ Manji Gond @ Manjay Gond S/O Late
Baidhnath Sah Resident of village - Choranti, Police Station- Dawath,
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Mishra, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 16-01-2026 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Excise
Sadar Gaya P.S. Case No. 508 of 2025, instituted for the
offences punishable under Sections 8, 20(b)(ii)(c) of the NDPS
Act.

3. Prosecution allegation, in short, is that there is
recovery of 52.680 Kg of Ganja from a mini truck and the
petitioner was arrested on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has got no concern with the alleged recovery of Ganja. It is further submitted that the petitioner is driver of the vehicle in question. The petitioner is in custody since 17.05.2025 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. 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 and the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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