

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69349 of 2025

Arising Out of PS. Case No.-191 Year-2025 Thana- KESARIA District- East Champaran

Gautam Pandey S/O Late Vikramajeet Pandey Resident of village-
Kadhan,P.S- Kesariya,Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
	:	Mr. Hemant Ray, Advocate
For the Opposite Party/s	:	Mr. Murli Dhar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 10-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 20, 22 of the N.D.P.S.
Act.

3. As per the prosecution case, upon secret
information, the police raided the house of the petitioner and
upon search, 1.5 kg of *ganja* was recovered from a box.

4. Learned counsel for the petitioner submits that
the petitioner has falsely been implicated in the present case
showing recovery of 1.5 kg of *ganja* from a box kept in his
house in view of the fact that he had an earlier antecedent. It is
further submitted that there is total non-compliance of



mandatory provisions of search and seizure as there was no independent witness to the seizure list and the recovered substance is a little over small quantity and much less than commercial quantity. Further, charges have already been framed and the petitioner is in custody since 20.05.2025.

5. Learned APP for the State opposed the grant of bail on the ground that the petitioner has one antecedent of similar nature, however, he is on bail in the said case.

6. Taking into consideration the facts and circumstances and considering the fact that recovery of a quantity, which is only slightly over small quantity, and further that the petitioner is in custody since 20.05.2025 and charges have already been framed, as informed by the learned counsel for the petitioner, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court-I, N.D.P.S. East Champaran, Motihari/concerned Court below in connection with N.D.P.S. Case No. 123 of 2025, CIS No.123 of 2025 arising out of Kesariya P.S. Case No.191 of 2025, subject to condition that:-

- (i) The petitioner shall remain physically present in court on each and every date during trial and in the



event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(ii) However, in case if the petitioner is found to be made an accused in any other case of N.D.P.S. Act, the bail granted to the petitioner in this case also stands cancelled.

(Soni Shrivastava, J)

anand/-

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