

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69757 of 2025

Arising Out of PS. Case No.-171 Year-2024 Thana- KOCHAS District- Rohtas

Abdhesh Chouhan @ Avadhesh Chaudhary Son of Tripal Chauhan @ Ram
Kripal Chaudhary Resident of Village - Kanjar, P.S.- Kochas, District -
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
Mr. Ajay Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 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 8 (c), 20(b) (ii) (B) and
29 of the N.D.P.S. Act.

3. The allegation is that of recovery of two kgs. of
Ganja from the motorcycle which was parked in front of the
house and three kgs. of Ganja from the house of the petitioner.

4. It is submitted by learned counsel for the
petitioner that the petitioner has been falsely implicated in the
present case showing all these recoveries in front of his house
and also from a motorcycle parked in front of the house and
these recoveries have been made violating the mandatory



provisions of search and seizure as there was no independent witness. Moreover, the petitioner is not the exclusive owner of the said house and the said motorcycle also does not belong to the petitioner. It is further submitted that subsequently, during course of investigation, a false story of recovery of 690 kgs. of Ganja from a truck standing in front of his house has been added, which appears to be completely false and baseless as the same is made on the next day. Further, on the date of alleged occurrence, the petitioner was actually at Varanasi for his treatment and he has also submitted his medical prescriptions in this regard (Annexure-2). Furthermore, co-accused, Meera Devi, wife of the petitioner, has already been granted the privilege of anticipatory bail by the Hon'ble Apex Court. The charges have already been framed against the petitioner, who has no criminal antecedent and has been languishing in custody since 24.07.2025.

5. Learned APP for the State opposed the bail petition on the grounds of allegations made in the F.I.R.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the alleged recovery is of intermediate quantity of 5 kgs., which is barely above the small quantity but much less than commercial



quantity, coupled with the fact that he has no criminal antecedent and has been languishing in custody since 24.07.2025, the above named petitioner is directed to be enlarged 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 Court below where the case is pending/successor Court in connection with Kochas P.S. Case No.171 of 2024, subject to the conditions that 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.

(Soni Shrivastava, J)

Trivedi/-

U		T	
---	--	---	--

