

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73317 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- KANGLI District- West Champaran

Tabrej Alam S/o Raja Husain Hawari @ Raja Hussain Hawari @ Raja Hushan
R/o Village- Khilichiya, P.S.- Raxaul, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratik, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, A.P.P.

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

ORAL ORDER

3 02-02-2026 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in Kangli P.S. Case No. 22
of 2025, instituted for the offences under Sections 20(b)(ii)(c),
23(c) and 29 of the NDPS Act.

3. Prosecution allegation, in short, is that total 1.664
Kg. of Charas has been recovered in this case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 06.03.2025 and
has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. Learned
counsel further submits that neither chargesheet not FSL report
has been submitted in this case after lapse of 180 days.



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.

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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