IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76243 of 2026

CNR No. BRHC011077622026

Arising Out of PS. Case No.-133 Year-2026 Thana- CHIRAIYA District- East Champaran

==========

1. Awadhesh Kumar Kushwaha S/o Dashrath Mahto Koiri R/o Village - Ram Nagar Ward no. 3, P.S - Simraunagard, District - Bara, Nepal
2. Veera Mahto S/o Raju Mahto Koiri R/o Village - Ram Nagar Ward no. 3, P.S - Simraunagard, District - Bara, Nepal

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Ranjana Srivastava, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P

==========

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners seek regular bail in connection with N.D.P.S Case No. 111 of 2026 and CIS No. 111 of 2026 arising out of Chiraiya P.S. Case No. 133 of 2026, for the offences punishable under Sections 20(b)(ii)(B), 23(b), 25 and 29 of N.D.P.S Act.

3. The prosecution case, in brief, is that on 27.02.2026, police received a secret information that two individuals were transporting ganja on a motorcycle from Nepal towards Katuya via Mirpur. It is alleged that police team intercepted the said motorcycle and after the riders attempted to

WEB COPY

flee, they were apprehended and identified as the petitioners herein. It is further alleged that on subsequent search, 4.564 kg of ganja was recovered from a sack kept on the motorcycle.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel for the petitioners further submits that the petitioners have clean antecedents and are in custody since 28.02.2026. The counsel lastly submits that the charge-sheet has been submitted.

5. The learned APP for the State opposed the prayer for bail of the petitioners.

6. Having heard the parties and taking into consideration the fact that the petitioners have clean antecedents and the charge-sheet has been submitted, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the likewise amount each to the satisfaction of learned Exclusive Special Court-1, N.D.P.S East Champaran at Motihari in connection with Chiraiya P.S. Case No. 133 of 2026, subject to the following conditions:

(I) One of the bailors shall be the petitioners' own or close family member.

WEB COPY

(II) The petitioners shall co-operate in the process of trial.

(III) The petitioners shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

(IV) The Petitioners shall not commit offence of a similar nature in future.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

(Alok Kumar, J)

Bipin/-

U		T	

WEB COPY