

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74417 of 2025

Arising Out of PS. Case No.-362 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

Chhotelal Ram Son of Ram Shringar Ram Resident of Sakin, Mokri, P.S.-
Bhabhua, District - Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Advocate Mr. Pushkar Prashant, Advocate Mr. Amit Anand, Advocate
For the Opposite Party/s	:	Mrs. Renu Kumari, APP

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

ORAL ORDER

3 09-01-2026 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Durgawati P.S. Case No. 362 of 2024 instituted for the offences
under Sections 8(c), 20(b)(ii)(c), 27A, 29 of the N.D.P.S. Act.

3. Prosecution case, in short, is that police recovered
total 307.43 Kg. ganja from the house of the co-accused
Shyamlal Bind.

3. Earlier, vide order dated 18.03.2025 passed in Cr.
Misc. No. 15399 of 2025, the prayer of the petitioner for grant
of regular bail was rejected by this Court.

4. Learned senior counsel for the petitioner submitted



that the petitioner has falsely been implicated in the present case. Petitioner is in custody since 27.11.2024 and has no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner rather the recovery of huge quantity of ganja has been made from the house of the co-accused Shyamlal Bind but this petitioner has no concern with the alleged recovery. 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.

6. Considering the aforesaid facts and circumstances of the case, recovered contraband being less than the commercial quantity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Durgawati P.S. Case No. 362 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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