

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78131 of 2025

Arising Out of PS. Case No.-489 Year-2024 Thana- BAKHTIYARPUR District- Patna

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Anoj Kumar S/O Bhushan Rai @ Shashi Bhushan Prasad R/O Vill.-
Madhopur, Abu Mohamadpur, P.s. - Bakhtiyarpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Adv.

For the Opposite Party/s : Mr.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 19-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Bakhtiyarpur P.S. Case No. 489 of 2024 for the offence
punishable under sections 20/22 of the NDPSD Act, lodged on
19.08.2024 by the informant.

3. As per the prosecution case, the allegation against
the petitioner is that altogether 905 Kilograms of hemp (*Bhang*)
was recovered from the pickup van of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner, being the owner of the said pickup van from where
905 Kilograms of hemp (Bhang), Psychotropic substance is said
to have been recovered, has got no concerned with the seized
materials. The said pickup van was given to the driver and the
khalasi who are said to have fled away from the spot and the



police on the basis of information collected with regard to ownership, the house of the petitioner was raided and the petitioner was arrested. It has next been submitted that while preparing the seizure list there is a violation of Section 50 of the NDPS Act, and the police officials are the witnesses to the said seizure. It has lastly been submitted that the petitioner is under judicial custody since 01.09.2025 having no criminal antecedent.

5. Learned APP vehemently opposes the prayer for bail by submitting that a huge quantity of hemp (Bhang), Psychotropic substance has been recovered from the pickup van of the petitioner and his role in the said incident cannot be ruled out, therefore, he does not deserve the privilege of bail.

6. Considering the period of custody of the petitioner who has remained in custody since 01.09.2025 having no criminal antecedent and the fact that there is a violation of Section 50 of the NDPS Act, and the police officials are the witnesses to the said seizure, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned



Special Judge, Excise, Barh, Patna in connection with
aforesaid PS Case, subject to the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.

(Ajit Kumar, J)

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