

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86779 of 2025

Arising Out of PS. Case No.-898 Year-2024 Thana- SASARAM NAGAR District- Rohtas

Rohan Kumar @ Rohan Chandrabanshi S/O Late Gopal Chandrabanshi @
Gopal Prasad Chandravanshi Resident of Village- Mubarakganj, Police
Station- Sasaram (Town), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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

ORAL ORDER

2 16-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sasaram (Town) P.S. Case No. 898 of 2024 instituted for the
offences under Sections 21, 23, 25, 25A, 27(a), 29, 30, 32 of the
N.D.P.S. Act and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution allegation, in short, is that on the basis
of secret information, a joint police raid was conducted at
Mubarakganj Mohalla, Sasaram, during which heroin-like
contraband weighing about 930 grams, 722 grams and 223
grams (total about 1.875 kg, commercial quantity), along with
cash of ₹1,31,120/-, mobile phones, live cartridges, pistols,
magazines and firearms, were recovered from the possession



and houses of the accused persons, who are alleged to have acted in connivance in illegal trafficking of narcotic substances and possession of illegal arms, resulting in registration of the case under various provisions of the N.D.P.S. Act and the Arms Act.

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 03.11.2024 and has got six criminal antecedents. There is no allegation of tampering of witnesses alleged against the petitioner. The allegation against the petitioner is based on general and omnibus statements without any specific overt act attributed to him. The contraband allegedly recovered from his house, including 930 grams of heroin-like substance, cash, cartridges, and mobile phones does not belong to him. The petitioner was not present at the time of alleged throwing of packets and recovery of the contraband.

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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