

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83757 of 2025

Arising Out of PS. Case No.-142 Year-2025 Thana- TARARI District- Bhojpur

Bhola Singh Son of Late Dharam Raj Singh R/o Village/ Mohalla- Jethwar,
P.S.- Tarari, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Adv.

For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Tarari P.S. Case No. 142 of 2025, registered for the offences under Sections 20(b)ii(c) and 25 of the Narcotic Drugs and Psychotropic Substances Act.

3. As per the prosecution case, on secret information, a raid was conducted on the house of the petitioner and recovery of 9 kg 200 gm of *ganja* was made from the shop in the house of the petitioner and further recovery of 13 kg 600 gm of *ganja* was made from the house of the petitioner. In this manner, recovery of 22 kg 800 gm of *ganja* and Rs. 4,90,800/- cash has been made.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not even present in the house when the raid was conducted and when he came there after almost three hours, he was arrested showing recovery from his house. The recovery shown from the old house of the petitioner is a place which is open and accessible to all. The petitioner has been residing in his new house along with other inmates and recovery of *ganja* was shown in absence of petitioner and later on his signature was obtained in the seizure list which is not permissible in law. The petitioner cannot be fastened with liability of recovery from a joint house. The police did not test the contraband and declared it to be *ganja* without testing or report of forensic lab. The petitioner is in custody since 04.08.2025 and charge sheet has been submitted. The petitioner is having clean antecedent.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner. Learned APP submits that commercial quantity of *ganja* has been recovered from the conscious possession of the petitioner.

6. Having regard to the nature of allegation and recovery of commercial quantity of *ganja* from the petitioner, and considering the bar of Section 37 of the Narcotic Drugs and



Psychotropic Substances Act, 1985, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of regular bail to the petitioner is rejected.

(Arun Kumar Jha, J)

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