

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83175 of 2025

Arising Out of PS. Case No.-525 Year-2024 Thana- AKBARPUR District- Nawada

Bhola Kumar @ Bhola Chauhan son of Late Shankar Chauhan Village
-Lakshmipur PS- Akbarpur Distt -Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shivendra Kr. Sinha, Adv.
		Mr.Ranjeet Patel, Adv.
For the Opposite Party/s :		Mr.Navin Kumar Pandey

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 19-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. A prayer for bail has been made on behalf of the petitioners in connection with Akbarpur P.S. Case No.525 of 2024 registered for the offence under Sections 8(b) and 20(a)(i) of the NDPS Act.

3. As per prosecution case, the informant states that a secret information having been received that some persons were cultivating *ganja* plant adjacent to their houses, a raid was conducted and 13 green plants of *ganja* weighting 22 kg and 8 green plants of *ganja* weighting 17 kg were recovered from accused Pancho Chauhan and Uday Chauhan.

4. It is submitted by learned counsel for the petitioner



that the petitioners have been falsely implicated in the case. No recovery has been made from physical or conscious possession of the petitioner. The recovery has been made from an open place which is accessible to all and hence, no liability can be fixed upon the petitioner. Learned counsel for the petitioner further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.S.S. The petitioner is in custody since 02.06.2025. He has no criminal antecedent and undertakes to co-operate in the case/trial. Further, similarly situated co-accused persons have been granted bail by this Court vide order dated 20.05.2025 in Cr. Misc. Nos. 32356 of 2025 (Annexure-3 Series) respectively.

5. The application for bail is opposed by learned APP for the State.

6. Taking into consideration the above mentioned facts of the case and also considering the fact that weight of recovered *ganja* is intermittent quantity, charge-sheet has been submitted in the case coupled with the fact that petitioner has no criminal antecedent and similarly situated co-accused has been granted bail by aforesaid order dated 20.05.2025, the petitioner is directed to be enlarged on bail in connection with Akbarpur



P.S. Case No.525 of 2024 on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor Court.

(Soni Shrivastava, J)

Harsh/-

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