

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84367 of 2025

Arising Out of PS. Case No.-254 Year-2025 Thana- RIVILGANJ District- Saran

- 1. Nikki Prasad Son of Late Brahmaji Prasad R/o Village - Chainpur, P.S. - Chainpur, District - Siwan.
- 2. Ravindra Prasad @ Mukhiya @ Mukhiya Prasad @ Ravindra @ Rabindra Prasad Son Late Brahamaji Prasad R/o Village - Chainpur, P.S. - Chainpur, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 85759 of 2025

Arising Out of PS. Case No.-254 Year-2025 Thana- RIVILGANJ District- Saran

Dharmendra Giri @ Sadhu Baba S/o Late Mahesh Giri Resident of Village- Odana Mathiya, P.S.- Revilganj, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 84367 of 2025)

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 85759 of 2025)

For the Petitioner/s : Mr. Hemant Kumar, Advocate

For the Opposite Party/s : Ms. Priyanka Singh, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 20-02-2026 As both these bail applications arise out of the same police station case number, hence they are being heard together and disposed of by this common order.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners seek bail in a case registered for



the offence punishable under Sections 111(2)(b), 111(3), 111(4) and 111(6) of the B.N.S. and Sections 20(b)(ii)(c) and 27 of the N.D.P.S. Act.

4. As per the prosecution case, on secret information, police recovered 13.400 kg *ganja* from accused persons. On their statement, the house of one co-accused, Ravindra Giri, was searched and 115.528 kg *ganja*, jewellery, and property documents were allegedly recovered.

5. Learned counsel for the petitioners submits that the First Information Report is an exhaustive document which indicates clearly that upon a confidential information with regard to one Ravindra Giri that he was into the business of narcotics, his shop was raided and 13.400 kg of *ganja* was recovered from his shop and in his confessional statement he admitted that his brother, Dharmendra Giri (petitioner in Cr. Misc. No.85759 of 2025) also assisted him. He has further stated in his confessional statement that Nikki Prasad and Ravindra Prasad (petitioners in Cr. Misc. No. 84367 of 2025) used to supply him the contraband, which he used to sell off by putting them into packets. However, it has been submitted that besides the said confession made by the co-accused Ravindra Giri, there is absolutely no material against these petitioners to



establish their complicity inasmuch as, the seizure lists clearly indicate the recovery of *ganja* from the shop and house of Ravindra Giri and several other articles and jewellery etc. have also been seized from the said Ravindra Giri. So far as Dharmendra Giri (petitioner in Cr. Misc. No.85759 of 2025) is concerned, his signature has been taken in the first seizure list showing recovery of 13.400 kg of *ganja* which is intermediate quantity, however, it is submitted that he has been made an accused only on the ground that he happens to be brother of the main accused, Ravindra Giri. So far as Nikki Prasad and Ravindra Prasad (petitioners in Cr. Misc. No. 84367 of 2025) are concerned, there is no recovery made from their personal or conscious possession and all the petitioners have no criminal antecedent. Nikki Prasad and Ravindra Prasad (petitioners in Cr. Misc. No. 84367 of 2025) are in custody since 02.08.2025 and Dharmendra Giri (petitioner in Cr. Misc. No.85759 of 2025) is in custody since 01.08.2025 and charge-sheet has been submitted.

6. Learned APP for the State, however, strongly opposed the grant of bail to the petitioners on the ground that they are also involved in the entire business of narcotics, two of them being the suppliers of the same.



7. Taking into consideration the facts and circumstances and considering as a matter of fact, no recovery has been made from the petitioners of Cr. Misc. No.84367 of 2025 and even no recovery has been made from the conscious possession of the petitioner of Cr. Misc. No.85759 of 2025, coupled with the fact that the thrust of allegation is against co-accused Ravindra Giri from whom the entire narcotic and other articles have been recovered and also considering that the charge-sheet has already been submitted, let the above named petitioners, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, Saran at Chapra/concerned Court below in connection with Rivilganj P.S. Case No. 254 of 2025 subject to condition that:-

(i) The petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

anand/-

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