

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87877 of 2025

Arising Out of PS. Case No.-322 Year-2024 Thana- RAMGARHWA District- East
Champaran

=====

Lal Babu Miya S/o Late Ali Hassan R/o Village- Chadwa, Ward No.04, P.S-
Ramgadhwa, Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Renu Kumari, A.P.P.

=====

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

ORAL ORDER

5 11-03-2026 Heard learned counsel for the petitioner and learned

APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with NDPS
Case No. 78 of 2025, arising out of Ramgharwa PS Case No.
322 of 2024 instituted for the offences under Sections 8(c),
20(b)(ii)(C) & 22 of the NDPS Act.

3. The prosecution case, in short, is that on
17.12.2024, on receiving secret information from SSB 71
Battalion regarding transportation of ganja in Bus No.
BR1AP3987 via the Raxaul–Raghunathpur route, a raiding team
along with a deputed Magistrate intercepted the said bus near
Hanuman Mandir Chowk, Ramgarhwa, apprehended the driver
– Lalbabu Mian (petitioner), who allegedly disclosed that the
ganja was concealed in the bus on the instruction of owner



Ekram Mian for delivery to Sugauli, and upon search in presence of the Magistrate recovered 18 packets of ganja-like substance weighing a total of 203.800 Kg.

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 18.12.2024 and has got no criminal antecedent. Charge-sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. Learned counsel further submits that petitioner was driver of the alleged vehicle. Learned counsel for the petitioner further submits that other co-accused has been granted bail by this Bench vide order dated 24.02.2026 passed in Cr. Misc. No. 4376 of 2026.

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 for grant of bail to the petitioner is rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

manish/-

U		T	
---	--	---	--

