

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87340 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Muzaffarpur

=====

Sanjay Kumar S/o Late Ram Ekbal Seth Resident of Village - Dinara, Ward
No. 8, Diliya Mohalla, P.S - Dinara, District - Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Narcotic Central Bureau, Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajiv Kumar, Advocate Mr. Rajiv Kumar, Advocate
For the State	:	Mr. Sanjay Kumar Pandey, APP
For the U.O.I./N.C.B.	:	Mr. Arvind Kumar, C.G.C. Dr. K.N. Singh, A.S.G.

=====

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
CAV ORDER

5 02-04-2026 Heard learned counsel for the petitioner, learned APP
for the State and the learned counsel for the N.C.B.

2. The petitioner has prayed for bail in connection
with N.D.P.S. Case No. 137 of 2025, CNR No. BRMZ01-
013855-2025, N.C.B. Case No. 03 of 2025. registered for the
offence punishable under Sections 8(C), 21(C), 29 of the
N.D.P.S. Act.

3. The case of the prosecution, in short, is that the
Narcotic Central Bureau, Patna has received information that
Ajay Sahani was carrying a large quantity of heroin in the
general coach adjacent to the engine of Awadh Assam Express



Train No. 15909 from Dimapur to Muzaffarpur. As the train arrived at Muzaffarpur railway station, Akshay Sahni was intercepted. He admitted that he is carrying 500 grams of heroin. A search of his bag was made, and from his bag, two packets of 260 grams each of brownish powder, which tested positive for heroin were recovered. It is further alleged that Akshay received a call from one Nitish Sahani, who was waiting at Jaiswal Meat Shop, Motihari and on this information, Nitish Sahani was apprehended.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that the name of this petitioner has surfaced during the confessional statement of one co-accused namely, Akshay Sahni. The petitioner was not arrested from spot. He was having a shop in Imphal. He further submits that similarly situated co-accused namely, Nitish Sahani has been granted bail by this court *vide* Cr. Misc. No. 85094 of 2025. The case of this petitioner stands on similar footing. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 09.09.2025.



5. As against this, the learned counsel for the N.C.B. has vehemently opposed the prayer for bail of the petitioner and has stated that there are evidences to show that the petitioner had received money from Akshay and it has been submitted that the petitioner has actually purchased the SIM and has handed it over to the carriers. He further submits that the offence involves commercial quantity of heroin and attracts the rigors of Section 37 of the NDPS Act and that the petitioner's involvement is supported by electronic evidence, including CDRs and financial transactions.

6. Countering this, the learned counsel for the petitioner has submitted that if, for a moment, it is considered that the petitioner was on talking terms with Akshay and that there were financial transactions between them, then also it does not connect the petitioner with the offence of the NDPS Act, as no recovery has been made from him.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail **with the condition that the petitioner shall cooperate in the trial and shall remain physically present on each and every date fixed by the learned trial court.** The above named petitioner is directed



to be enlarged on bail on furnishing bail bond of Rs. 10,000/-
(Rs. ten thousand only) with two sureties of the like amount
each to the satisfaction of the learned Special Judge, Exclusive
Special Court (NDPS), Muzaffarpur in connection with N.D.P.S.
Case No. 137 of 2025, CNR No. BRMZ01-013855-2025,
N.C.B. Case No. 03 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

AFR/NAFR	NAFR
CAV DATE	23.03.2026
Uploading Date	02.04.2026
Transmission Date	02.04.2026

