

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1158 of 2026

Arising Out of PS. Case No.-229 Year-2025 Thana- CHHAURADANO District- East
Champaran

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Anish Kumar S/O Late Birendra Rai Resident of Village- Dostiyan, P.S.-
Lakhaura, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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

ORAL ORDER

2 20-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Chhauradano P.S. Case No. 229 of 2025 instituted for the
offence under Sections 3, 20(B)IIB, 23(b), 25 & 29 of the NDPS
Act.

3. Prosecution case, in a nutshell, is that on secret
information police conducted raid and recovered 4.900 Kg ganja
from the possession of co-accused persons, including the
petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 26.07.2025. Petitioner



bears one criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that petitioner has no concern with the recovered contraband. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Other co-accused has been granted bail by this Court vide order dated 12-01-2026, passed in Cr. Misc. No. 86137 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, recovery below commercial quantity and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Chhauradano P.S.
Case No. 229 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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