

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4514 of 2026

Arising Out of PS. Case No.-898 Year-2024 Thana- SASARAM NAGAR District- Rohtas

Dhiraj Kumar Son of Bhola Chandravanshi Resident of Mohalla -
Mubarakganj Sasaram Police Station Sasaram (Town), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Ms. Vaishnavi Singh, Advocate Mr. Ajay Kumar Thakur, Advocate Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Rajendra Nath Jha, A.P.P.

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

ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sasaram Town P.S.
Case No. 898 of 2024 instituted for the offences under Sections
21, 23, 25, 25A, 27(a), 29, 30 & 32 of the NDPS Act and 25(1-
b)a, 26 & 35 of the Arms Act.

3. As per FIR, the informant has alleged that on
01.11.2024 at about 5 0' clock, on the basis of secret
information, he along with others raided in the house of Rohan
Chandravanshi. On seeing the police, one person tried to flee
away, who was caught. On query, he disclosed his name
Altumas and also disclosed that he and his associates Rohan
Kumar @ Rohan Chandravanshi, Vikas Kumar @ Appu, Anurag



Raj were illegally selling heroin in Sasaram locality. It is further alleged that on raiding the house of Rohan, informant caught Rohan Kumar @ Rohan Chandravanshi, Gandhi Kumar, Yash Kumar, Kundan Kumar and Vicky Kumar @ Mangru. During search, 930 grams, 722 grams and 233 grams heroin along with live cartridges etc. have been recovered from various places at the instance of accused persons.

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 02.11.2024 and has no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Learned counsel further submits that although huge amount of contraband has been recovered but the same has been recovered from co-accused persons and, in fact, no recovery of contraband has been made from the conscious possession of the petitioner. Even though, if the recovery is taken on its face value, there is recovery of 223 grams heroine from possession of co-accused, namely, Rohan, hence, there is no bar under Section 37 of the NDPS Act. There is no compliance of Sections 42 & 50 of the NDPS Act. Learned counsel for the petitioner further submits that other co-accused Anuraj Raj has been granted bail by this



Court vide order dated 29.08.2025 passed in Cr. Misc. No. 22470 of 2025.

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

6. Considering the aforesaid facts and circumstances of the case and since nothing has been recovered from the conscious possession of the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Sasaram Town P.S. Case No. 898 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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