

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

B.P. No. 308/2026

Arising out of Madya Nishedh-Excise P.S. Case No. 228/2026

Present:- Rajeev Ranjan Kumar, Sessions Judge, Aurangabad (Bihar)

Uttam Paswan, S/o Ramashish Paswan, age-28 years, R/o village- Dhobi Bagh, P.S.-
Madanpur, District- Aurangabad (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

Appearance :

For the Petitioner(s)	:	Sri Manoj Kumar, Adv.
For the State	:	Sri Parvez Alam, Special P.P.

23.04.2026

The petitioner, who has been undergoing judicial custody since dated 28.02.2026, preferred this application for grant of regular bail in connection with Excise P.S. Case No. 228 of 2026 instituted under Sections 8(c), 15(c), 18, 25 of the Narcotics Drugs and Psychotropic Substances Act, 1885. A copy of the bail petition has been served upon the learned P.P. for the State.

As per prosecution case, on dated 28.02.2026 at about 08:10 p.m., during course of vehicle checking, a motorcycle was intercepted. Petitioner was riding the motorcycle bearing Registration No. BR 26Z 0465 and from his possession 9.495 kg Doda powder was recovered found kept in a plastic bag.

It has been submitted by the learned counsel appearing for the petitioner that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. Actually, petitioner was going to his house situated at village- Dhobi. On the way, he was arrested by the police. No Doda powder has been recovered from the conscious possession of the petitioner. It is further submitted that seizure list does not contain either the name or the signature of any independent witness and all are police personnel. Sections imposed against the petitioner are not attracted. Petitioner is having no criminal antecedent. It is lastly submitted that petitioner has been languishing under judicial custody since dated 28.02.2026. It is therefore prayed that the petitioner be given the privilege of bail.

On the other hand, learned Special P.P. vehemently opposed the prayer for grant of bail of the petitioner and submitted that there is recovery of 9.495 kg Doda powder from the personal possession of the petitioner. Investigation

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of the case is still going on, therefore, if the petitioner is enlarged on bail, there is every probability/likelihood of his tempering with the prosecution evidence, hence the petitioner does not deserve to be enlarged on bail.

From perusal of an F.I.R. and the seizure list, it appears that there is recovery of 9.495 kg Doda powder (poppy straw) from the possession of the petitioner and the recovered quantity is more than the small quantity. At para-8 of the case diary, it is confessed by the petitioner that he was carrying Doda powder by his motorcycle to sell. **Hence, the bail petition filed on behalf of the petitioner Uttam Paswan is hereby rejected.**

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)